This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

3 2044 032 340 119

Digitized by Google

L

HARVARD LAW LIBRARY

Received FEB 13 1908

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

A TREATISE

ON THE

LAW OF RAILROADS

CONTAINING A CONSIDERATION OF THE ORGANIZATION, STATUS AND POWERS OF RAILROAD CORPORATIONS, AND OF THE RIGHTS AND LIABILITIES INCIDENT TO THE LOCATION, CONSTRUCTION AND OPERATION OF RAILROADS; TOGETHER WITH THEIR DUTIES, RIGHTS AND LIABILITIES AS CARRIERS

INCLUDING

STREET AND INTERURBAN RAILWAYS

BY BYRON K. ELLIOTT

AND

WILLIAM F. ELLIOTT

Authors of "Roads and Streets," "General Practice," "Evidence."

Second Edition

VOLUME V

INDIANAPOLIS

THE BOBBS-MERRILL COMPANY

1907

Digitized by Google

Tx
E464x
ed 2

COPYRIGHT 1897
BY THE BOWEN-MERRILL COMPANY

COPYRIGHT 1907
BY THE BOBBS-MERRILL COMPANY

FEB 13 1908

THE HOLLENBECK PRESS
INDIANAPOLIS

Digitized by Google

THE LAW OF RAILROADS.

GENERAL TABLE OF CASES.

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Aaron v. Adams Exp. Co., 27 Weekly L. Bull, 183, 1530
v. Southern R. Co., 68 S. Car. 98, 1801
Aaronson v. Pennsylvania R. Co., 23 Misc. (N. Y.) 666, 1513a
Abbe v. Eaton, 51 N. Y. 410, 1419, 1420, 1559, 1709
Abbett v. Chicago, &c., R. Co., 30 Minn. 482, 1166
Abbeville, &c., Co. v. Western, &c., Co., 85 Am. St. 930, 621a
Abbey v. W. B. Grimes Dry Goods Co., 44 Kan. 415, 185
Abbitt v. Lake Erie, &c., R. Co., (Ind.) 40 N. E. 40, 1298, 1314
Abbot v. American Hard Rubber Co., 33 Barb. (N. Y.) 578, 252, 275, 440
v. McCadden, 81 Wis. 563, 1289, 1310
Abbott v. Baltimore, &c., R. Co., 1 Md. Ch. 542, 353, 379
v. Bradstreet, 55 Me. 530, 1654
v. Dwinnell, 74 Wis. 515, 1167, 1792
v. Gatch, 13 Md. 314, 1060a
v. Gore, 74 Wis. 509, 1225
v. Hapgood, 150 Mass. 248, 14, 102
v. Johnstown, &c., R. Co., 80 N. Y. 27 385, 428, 430, 463, 473, 1096ad, 1690
v. Kansas City, &c., R. Co., 83 Mo. 271, 977, 1057d
v. Kansas City, &c., R. Co., 97 S. W. 198, 1096bs
v. Lindenbower, 42 Mo. 162, 862
v. Milwaukee, &c., Co., 126 Wis. 634, 1096be, 1096bm
v. New York, &c., R. Co., 145 Mass. 450, 956, 958
v. Omaha, &c., Co., 4 Neb. 416, 18
v. Oregon R. Co., 46 Ore. 549, 1579, 1590a, 1592, 1641
v. Tolliver, 71 Wis. 64, 1807
v. Upham, 13 Metc. (Mass.) 172, 1049c
Abel v. Delaware, &c., R. Co., 103 N. Y. 581, 1298a
v. Northampton Trac. Co., 212 Pa. St. 329, 1096bt, 1096bv
v. President, &c., R. Co., 103 N. Y. 581, 1280
Abeles v. Bransfield, 19 Kan. 16, 1822
Abell v. Western, &c., R. Co., 63 Md. 433, 1606
Abend v. Terre Haute, &c., R. Co., 111 Ill. 202, 1282, 1303a, 1374, 1645
Abendroth v. Manhattan Ry Co., 122 N. Y. 1, 7, 630, 976, 1085, 1086
Aberdeen R. Co. v. Blakie, 1 Macq. 461, 274, 276, 293
Ablard v. Detroit United R. Co., 139 Mich. 248, 1096ch
Abney v. Clark, 87 Ia. 727, 1019
v. Texarkana, &c., R. Co., 105 La. Ann. 446, 987, 1053
Abraham v. Meyers, (N. Y. Sup. Ct.) 29 Abb. N. C. 384, 628
v. Oregon, &c., R. Co., 37 Oregon, 495, 41, 393
v. Oregon, &c., R. Co., 41 Ore. 550, 946b
Abraham Bros. v. Southern R. Co., 42 So. 837, 621
Abrahams v. Deakin, L. R. (1891) 1 Q. B. 516, 1265
Abram v. Railroad Co., 83 Tex. 61, 1597
Abrams v. Milwaukee, &c., R. Co., 87 Wis. 485, 1498, 1510, 1511, 1548, 1552, 1553
v. Seattle, &c., R. Co., 27 Wash. 507, 1243a
Acker, In re, 66 Fed. R. 290, 633
Acker v. Alexander, &c., Railroad Co., 84 Va. 648, 467, 519
Ackerman v. Cincinnati, &c., R. Co., 143 Mich. 58, 444, 455, 462
v. Halsey, 37 N. J. Eq. 356, 569
v. Huff, 71 Tex. 317, 1051
v. Union Trac. Co., 205 Pa. St. 477, 1096cg
Ackerson v. Erie, &c., R. Co., 32 N. J. L. 254, 1802
v. Lodi Branch R. Co., 28 N. J. Eq. 542, 510
Ackerstadt v. Chicago City R. Co., 194 Ill. 616, 1096cy
Achley's Case, 4 Abb. Pr. 35, 1015
Ackley v. Kellogg, 8 Cow. (N. Y.) 223, 1440, 1464
Ackley School Dist. v. Hall, 113 U. S. 135, 484
Acord v. St. Louis, &c., R. Co., 113 Mo. App. 84, 1194, 1201, 1202
Acres v. Moyne, 59 Tex. 623, 531
Acton v. Blundell, 12 Mees. & W. 324, 1223
v. Castle Mail Packet Co., 73 Law. T. (1895) 158, 1502
Adair v. Northern Pac. R. Co., 53 Minn. 160, 1510
Adair County v. Ownby, 75 Mo. 282, 583
Adamantine Brick Co. v. Woodruff, 4 McArthur (D. C.) 318, 271
Adamont Mfg. Co. v. Wallace, 16 Wash. 614, 110
Adams v. Ashland, 26 Ky. L. 184, 892
v. Atchison, &c., R. Co., 46 Kan. 161, 1200
v. Blankenstein, 2 Cal. 413, 1523, 1524
v. Boston, &c., Co., 4 Nat. Bank Reg. (314) 99, 72
v. Boston, &c., St. R. Co., 191 Mass. 486, 1096cp

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Adams v. British, &c., Co. (1898), 2 Q. B. 430, 1366a
v. Camden, &c., R. Co., 69 N. J. 424, 1096ch
v. Chicago, &c., R. Co., 39 Minn. 286, 630, 1085
v. Chicago, &c., R. Co., 93 Ia. 565, 1689l
v. Cosby, 48 Ind. 153, 1060
v. Fitchburg, &c., R. Co., 67 Vt. 76, 1366
v. Fort Plain Bank, 36 N. Y. 255, 311
v. Goodrich, 55 Ga. 233, 186
v. Hannibal, &c., Co., 74 Mo. 553, 218
v. Haskell, 6 Cal. 475, 584
v. Haught, 14 Tex. 243, 1562
v. Iron Cliffs Co., 78 Mich. 271, 1154, 1316, 1701
v. Kehlor, &c., Co., 35 Fed. R. 433, 604
v. Lamson, &c., Co., 59 Hun (N. Y.), 127, 616
v. Lancashire, &c., R. Co., L. R. 4 C. P. 739, 1641
v. Logan Co., 11 Ill. 336, 419
v. London, &c., Blackwall R. Co., 2 McN. & G. 118, 1048
v. London and Blackwall R. Co., 18 L. J. Ch. (N. S.) 357, 1048
v. Louisville, &c., R. Co., 82 Ky. 603, 1628, 1628c
v. Mercantile Trust Co., 66 Fed. R. 617, 553
v. Metropolitan St. R. Co., 81 N. Y. S. 553, 1096cc
v. New York, &c. R. Co., 49 N. Y. St. 854, 1179l
v. New York, &c., R. Co., 21 N. Y. Supp. 681, 1164
v. Newfane, 8 Vt. 271, 1054
v. O'Conner, 100 Mass. 515, 1451
v. Rulon, 50 N. J. L. 526, 1041
v. St. Johnsbury, &c., R. Co., 57 Vt. 240, 988, 1003, 1025, 1048
v. St. Louis, &c., R. Co. (Mo.), 28 S. W. 496, 1223
v. Salina, 58 Kan. 246, 1798
v. San Angelo, &c., Co., (Tex. Civ. App.) 25 S. W. 165, 1017, 1018
v. San Antonio, &c., R. Co., 34 Tex. Civ. App. 413, 1767
v. Saratoga, &c., R. Co., 10 N. Y. 328, 1027, 1055
v. Sayre, 76 Ala. 509, 529
v. Schlessinger, 75 Pa. St. 246, 1571
v. Scott, 104 Mass. 164, 626, 1538
v. Steamer Trent, 19 La. Ann. 262, 1429
v. Walker, 34 Conn. 466, 977
v. Washington, &c., R. Co., 9 App. D. C. 26, 1096cz
v. Wilmington, &c., Elec. R. Co., 3 Pen. (Del.) 512, 1689g, 1808
v. Woods, 8 Cal. 306, 583
v. Yazoo, &c., R. Co., 77 Miss. 194, 326, 768, 769, 1096bl
Adams Co. v. Kansas City, &c., R. Co., 49 N. W. 245, 738a
Adams County v. Quincy (Ill.), 6 L. R. A. 155, 782
Adams Exp. Co. v. Aldridge, 20 Colo. App. 74, 1822
v. Board, &c., 65 How. Pr. 72, 1669
v. Bratton, 106 Ill. App. 563, 1719, 1720
v. Carnahan, 29 Ind. App. 606, 1501
Adams Express Co. v. Crawford, 8 Ky. L. 619, 1718
v. Cressap, 6 Bush, 572, 1533
v. Harris, 120 Ind. 73, 617, 1446, 1504, 1572
v. Haynes, 42 Ill. 89, 1417, 1502, 1516, 1535
v. Hoeing, 88 Ky. 373, 1510
v. Holmes, 9 Atl. 166, 1718
v. Jackson, 92 Tenn. 326, 1453, 1457
v. Kentucky, 166 U. S. 171, 757
v. King, 3 Ill. App. 316, 1717
v. Nock, 2 Duv. (Ky.) 562, 1500, 1502, 1507
v. Ohio, 165 U. S. 194, 737, 741, 755, 762, 772a
v. Ohio St. Auditor, 166 U. S. 185, 741
v. Reagan, 29 Ind. 21, 1500, 1512
v. State, 161 Ind. 328, 1558
v. Stettaners, 61 Ill. 184, 1498, 1501, 1502, 1516, 1535
v. Walker, 119 Ky. 121, 1506, 1512, 1548a
v. Wilson, 81 Ill. 339, 1435
Adamson's Case, L. R. 18 Eq. Cas. 670, 133
Adasken v. Gilbert, 165 Mass. 443, 1338
Adden v. White Mts. R. Co., 55 N. H. 413, 988, 991, 995, 996
Addison v. Lewis, 75 Va. 701, 497, 528, 1072
Addricks v. Cristoph, 62 N. J. L. 786, 1329
Addyston Pipe, &c., Co. v. United States, 175 U. S. 211, 1674
Adee v. Nassau El. R. Co., 65 App. Div. (N. Y.) 529, 1096j
Adger v. Blue Ridge R. 71 S. Car. 213, 1656
Adirondack R. Co. v. New York, 176 U. S. 335, 1010
Adkins v. Atlantic, &c., R. Co., 27 S. Car. 71, 1296
Adler v. Milwaukee, &c., Co., 13 Wis. 57, 146, 182, 548
Adolph v. Central Park, &c., R. Co., 65 N. Y. 554, 1093, 1096aq, 1096at
v. Central Park R. Co., 76 N. Y. 530, 1093, 1095, 1096ce, 1096ch
Adrian Knitting Co. v. Wabash R. Co., 145 Mich. 323, 1523
Adriance v. Roome, 52 Barb. (N. Y.) 399, 213, 283
Adriatic, The, 16 Blatch. (C. C.) 424, 1420
Adsit v. Lieb, 76 Ill. 561, 771
Advance in Freight Rates, In re, 9 I. C. C. 382, 1684b, 1684c
Aerkfetz v. Humphreys, 145 U. S. 418, 1258, 1268, 1272, 1298a
Aetna Ins. Co. v. Wheeler, 49 N. Y. 616, 1412, 1435, 1443, 1446
Aetna Life Ins. Co. v. Lyon Co., 95 Fed. 325, 891
v. Mabbett, 18 Wis. 667, 232
v. Middleport, 124 U. S. 534, 888
v. Pleasant Township, 62 Fed. R. 718, 817
v. Pleasant Township, 53 Fed. R. 214, 817
Aetna Mills v. Waltham, 126 Mass. 422, 1027
Aetna Nat. Bank v. Water Power Co., 58 Mo. App. 532, 1418
Aetna, &c., Co. v. Hannibal, &c. R. Co., 3 Dill. 1, 1234

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

A. F. Johnson & Son v. Atlantic Coast Line R. Co., 140 N. Car. 581, 1243
Africa v. Board, &c., 70 Fed. 729, 1077, 1079, 1083
v. Knoxville, 70 Fed. 734, 59, 1096l, 1096z
African, &c., Church v. Conover, 27 N. J. Eq. 157, 409
Agar v. Regents' Canal, Cooper Ch. 77, 376
Agawam Bank v. Strever, 18 N. Y. 502, 1294
Agawam Nat. Bank v. South Hadley, 128 Mass. 503, 911
Aggs v. Shackelford Co., 85 Tex. 145, 1003b
Agnew v. Steamer Costa Rica, 27 Cal. 425, 1457, 1545
Agricultural Ass'n v. Alabama, &c., Co., 70 Ala. 120, 20
Agricultural Bank v. Wilson, 24 Me. 273, 78
Agricultural, &c., R. R. Co. v. Winchester, 13 Allen (Mass.), 29, 45, 121, 886
Agulino v. Railroad Co., 21 R. I. 263, 1628
Ah You, In re, 88 Cal. 99, 1082
Ahern v. Oregon, &c., R. Co., 24 Ore. 276, 1689d
Ahlbeck v. St. Paul, &c., R. Co., 39 Minn. 424, 1655
Ahlhauser v. Butler, 50 Fed. R. 705, 654
Aigen v. Boston, &c., R. Co. 132 Mass. 423, 1441, 1444
Aikin v. Albany, &c., R. Co., 26 Barb. (N. Y.) 289, 936, 939, 942, 945
v. Chicago, &c., R. Co., 68 Iowa, 363, 1403, 1404
v. Frankford, &c., R. Co., 142 Pa. St. 47, 1096cz, 1630, 1636
v. Pennsylvania R. Co., 130 Pa. St. 380, 1166
v. Southern Pac. Co., 104 La. Ann. 162, 1096cu
v. Southern R. Co., 118 Ga. 118, 1593
v. Steamboat, 40 Mo. 257, 1075
v. Wabash R. Co., 80 Mo. App. 8, 1661
v. Westcott, 123 N. Y. 363, 1653
v. Western R. R. Co., 20 N. Y. 370, 4, 968
Airey v. Pullman, &c., Co., 50 La. Ann. 648, 1621, 1640
Aitken v. Newport, &c., Co. (1887) 3 Times L. R. 527, 1353
v. Wells River, 70 Vt. 308, 950
A. J. Niemeyer Lumber Co. v. Burlington, &c., R. Co., 54 Neb. 321, 1425
Akerman v. Humphrey, 1 Car. & P. 2389, 1541
Akers v. Chicago, &c., R. Co. (Minn.) 60 Am. & Eng. R. Cas. 30, 1258
v. Chicago, &c., R. Co., 58 Minn. 540, 1248, 1250
v. United N. J. R., &c., R. Co., 43 N. J. L. 110, 5
v. Veal, 66 Ga. 302, 583
Akersloot v. Second Ave. R. Co., 131 N. Y. 599, 1096cy
Akerson v. Chicago, &c., R. Co., 106 Ia. 54, 1344, 1355
Akron, &c., R. Co. v. Bedford, 6 Ohio N. P. 276, 1096bj
Alabama, Ex parte, 71 Ala. 363, 645
Alabama v. Montague, 117 U. S. 602, 495
Alabama City, &c., R. Co. v. Bates, 43 So. 98, 1833, 1840
Alabama G. S. R. Co. v. South & N. A. R. Co., 85 Ala. 570, 451
Alabama Gold Life Ins. Co. v. Central, &c., Assn., 54 Ala. 73, 340
Alabama Great Southern R. Co. v. Clark, 136 Ala. 450, 1788
v. Gilbert, 71 Ga. 591, 955, 972
v. Guest, 39 So. 654, 1849
v. Vail, 142 Ala. 134, 1316, 1318a
Alabama Midland R. Co. v. Martin, 100 Ala. 511, 1063
v. Newton, 94 Ala. 443, 1033
Alabama Mineral R. Co. v. Jones, 121 Ala. 113, 1378
Alabama National Bank v. Mobile, &c. R. Co., 42 Mo. App. 284, 1428
Alabama, &c., Ins. Co. v. Central, &c., Co., 54 Ala. 73, 342
Alabama, &c., R. Co. v. Arnold, 84 Ala. 159, 1278, 1284, 1590, 1641, 1774
v. Bailey (Ala.), 20 S. W. 313, 1689d, 1697
v. Baldwin, 113 Tenn. 409, 1330
v. Bates, 43 So. 98, 1578b, 1776, 1784
v. Bloom, 71 Miss. 247, 1090
v. Bolding, 69 Miss. 255, 3
v. Boyles, 37 So. 498, 1214
v. Brichetto, 72 Miss. 891, 1459
v. Burgess, 116 Ala. 509, 1378a
v. Burkett, 42 Ala. 83, 987, 988, 1051
v. Burks, 41 So. 638, 1267a
v. Carroll, 97 Ala. 126, 1337, 1338, 1339, 1376
v. Chapman, 80 Ala. 615, 1204, 1689f
v. Chumley, 92 Ala. 317, 625
v. Cosksy, 92 Ala. 254, 1689h
v. Davis, 69 Miss. 444, 1174, 1178
v. Davis, 119 Ala. 572, 1829
v. Dear, 87 Miss. 339, 1628, 1841
v. Drummond (Miss.), 20 So. 7, 1637
v. Eichofer, 100 Ala. 224, 1482
v. Elliott, 43 So. 738, 1457a
v. Frazier, 93 Ala. 45, 1255, 1689l, 1808
v. Fulghum, 87 Ga. 263, 623
v. Fulton, 39 So. 282, 1096cn, 1851
v. Grabfelder, 83 Ala. 200, 1533, 1694
v. Guest, 39 So. 654, 1257
v. Hall, 105 Ala. 599, 1278, 1303, 1304, 1792
v. Harris, 71 Miss. 74, 1265
v. Hawk, 72 Ala. 112, 1589, 1628, 1628c, 1630, 1689l
v. Hayne, 76 Miss. 538, 1753
v. Hill, 93 Ala. 514, 1788, 1804, 1815, 1819, 1845
v. Hill, 90 Ala. 71, 218, 1699
v. Horn, 132 Ala. 407, 1628a
v. Johnson, 128 Ala. 283, 1243a
v. Jones, 114 Ala. 519, 1378a
v. Jones, 71 Ala. 487, 1180, 1205
v. Jones, 73 Miss. 110, 1377
v. Jones, 85 Miss. 263, 1628
v. Kenney, 39 Ala. 307, 950, 963, 968, 1025
v. Kidd, 29 Ala. 221, 204, 212
v. Kidd, 35 Ala. 209, 1464, 1524
v. Killian, 69 Ala. 277, 1216
v. Linn, 103 Ala. 134, 1154, 1782
v. Little, 71 Ala. 611, 1500
v. Livingston, 36 So. 256, 1255
v. Lowe (Miss.), 19 So. 96, 1173
v. McAfee, 71 Miss. 70, 1265
v. McAlpine, 71 Ala. 545, 1180, 1204, 1206, 1218
v. McDonald, 112 Ala. 216, 1356

Digitized by Google

[*Refcrences are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Alabama, &c., R. Co. v. Martin, 100 Ala. 511, 1063
v. Mississippi R. Com'rs, 27 Sup. Ct. 163, 693, 1662c, 1670a
v. Moody, 90 Ala. 46, 1204
v. Moody, 92 Ala. 279, 1205
v. Moorer, 116 Ala. 642, 1257, 1259
v. Mt. Vernon Co., 84 Ala. 173, 1428, 1435, 1443, 1692
v. Newton, 94 Ala. 443, 1033
v. Odeneal (Miss.), 19 So. R. 202, 1142, 1143
v. Overstreet, 85 Miss. 78, 1796
v. Phillips, 70 Miss. 14, 1155
v. Pounder, 35 So. 155, 1712
v. Powers, 73 Ala. 244, 1206
v. Prouty, 43 So. 352, 1057
v. Quarles, 40 So. 120, 1457a
v. Railroad Com'rs, 86 Miss. 667, 1684g
v. Richie, 99 Ala. 346, 1314
v. Roach, 116 Ala. 360, 1298a
v. Roach, 110 Ala. 266, 1282, 1314
v. Roebuck, 76 Ala. 277, 1213, 1216
v. Rowley, 9 Fla. 508, 133, 142, 152
v. Sanders, 40 So. 402, 1241
v. Searles, 71 Miss. 744, 1448
v. Sellers, 93 Ala. 9, 1798
v. Siniard, 123 Ala. 557, 1628a, 1820
v. Smith, 85 Ala. 208, 1204
v. Sparks, 71 Miss. 757, 1511, 1546, 1552
v. Stacy, 68 Miss. 463, 1641
v. Summers, 68 Miss. 566, 1162
v. Tapia, 94 Ala. 226, 1689l, 1782
v. Taylor, 129 Ala. 238, 1245a
v. Thomas, 83 Ala. 343, 1438
v. Thomas, 89 Ala. 294, 1424, 1435, 1440, 1442, 1449, 1454, 1490, 1505, 1553
v. Thompson, 200 U. S. 206, 649, 650a
v. Waller, 48 Ala. 459, 1359
v. Williams, 78 Miss. 209, 1368
v. Williams, 92 Ala. 277, 1063, 1113
v. Yarbrough, 83 Ala. 238, 1581, 1582, 1815
Alabama, &c., Works v. Dallas, 127 Ala. 513, 127
Alabama, &c., Co. v. Griffin, 42 So. 1034, 1373, 1378a
v. Robinson, 56 Fed. R. 690, 506, 508
v. South, &c., R. Co., 84 Ala. 570, 289, 342, 1117
Alair v. Northern Pac. R. Co., 53 Minn. 160, 1510
Alaska, &c., Co. v. Whelan, 168 U. S. 86, 1329, 1333
Alaska, The, 130 U. S. 201, 1367, 1372
Albany v. Sikes, 94 Ga. 30, 978
Albany, City of, v. Watervliet, &c., Co., 108 N. Y. 14, 1082
Albany City Bank v. Schermerhorn, 9 Paige (N. Y.), Ch. 373, 575
Albany St. In re, 11 Wend. (N. Y.) 149, 952, 972
Albany, &c., R. Co. v. Brownell, 24 N. Y. 345, 59, 966, 1102, 1104, 1108
v. Dayton, 10 Abb. Pr. (N. S.) 182, 995, 1042
v. Lansing, 16 Barb. (N. Y.) 68, 996, 1010, 1035, 1040
v. Watervliet, &c., Co., 45 Hun (N. Y.), 442, 1096o
Albany, &c., Co. v. Canaan, 16 Barb. 244, 738
v. Osborne, 12 Barb. 223, 737
Alberger v. Nat. Bank, 123 Mo. 313, 600
Albert v. Boston El. R. Co., 185 Mass. 210, 1255
v. Grosvenor Investment Co., L. R. 3 Q. B. 123, 505
v. New York, &c., R. Co., 80 Hun, 152, 1272, 1296
v. New York, &c., R. Co., 34 N. Y. Supp. 1089, 1296
v. State, 65 Ind. 413, 550
v. Sweet, 116 N. Y. 363, 1132
Alberti v. New York, &c., R. Co., 118 N. Y. 77, 1783
v. New York, &c., R. Co., 43 Hun (N. Y.), 421, 1827
Albin v. Gulf, &c., R. Co., 95 S. W. 589, 1637
v. Chicago, &c., R. Co., 103 Mo. App. 308, 1800, 1815
Albion v. Hetrick, 90 Ind. 545, 1174
Albion Lumber Co. v. DeNobra, 72 Fed. R. 739, 1303a, 1573
Albion, &c., Co. v. Martin, 1 Ch. Div. 580, 274
Albrecht v. Foster Lumber Co., 126 Ind. 318, 1074
v. Milwaukee, &c., R. Co., 87 Wis. 105, 1377
Albuquerque Nat. Bank v. Perea, 147 U. S. 87, 751, 752
Alcorn v. Chicago, &c., R. Co., 108 Mo. 81, 1294
Alcoy, &c., R. Co. v. Greenhill, 76 L. T. N. S. 542, 1058
Alden v. Carver, 13 Iowa, 253, 1567, 1571
v. New York, &c., R. Co., 44 N. Y. 478, 1583
v. New York, &c., R. Co., 26 N. Y. 102, 1584, 1587
v. Pearson, 69 Mass. 342, 1516, 1718
Alder, v. Milwaukee, &c., Co., 13 Wis. 57, 110
Alderman v. Eastern R. Co., 115 Mass. 233, 1426, 1429, 1430, 1523
Alderson, Ex parte, 1 Madd. 39, 502
Aldis v. Union Elevated R. Co., 203 Ill. 567, 996e
Aldrich v. Anchor Coal, &c., Co., Co., 24 Ore. 32, 189
v. Boston, &c., R. Co., 100 Mass. 31, 1533
v. Cargo, 117 Fed. 757, 1558
v. Cheshire R. Co., 21 N. H. 359, 960, 977, 1004, 1048, 1057
v. Drury, 8 R. I. 554, 41
v. Howard, 7 R. I. 199, 711
v. Metropolitan, &c., Co., 195 Ill. 456, 978, 1057, 1086
v. St. Louis Transit Co., 101 Mo. App. 77, 1069de
Aldridge v. Great Western, &c., R. Co., 15 C. B. (N. S.) 582, 1242, 1507, 1533
v. Pardee, 24 Tex. Civ. App. 254, 497, 525
v. Tuscumbia, &c., R. Co., 2 Stew. & P. (Ala.) 199, 952, 960, 1012
Aldworth v. Lynn, 153 Mass. 53, 1057d
Alexander v. Atlantic, &c., R. Co., 108 Ga. 151, 325
v. Bennett, 60 N. Y. 204, 677
v. Cauldwell, 83 N. Y. 480, 228, 350
v. Central R. Co., 3 Dill. (U. S.) 487, 509, 514
v. Dennison, 2 McArthur, 562, 751
v. Greene, 7 Hill, 533, 1397
v. Hannibal, &c., R. Co., 76 Mo. 494, 1206

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Alexander v. Louisville, &c., R. Co., 83 Ky. 589, 1282, 1285, 1294
v. McDowell County, 70 N. Car. 208, 894
v. Relfe, 9 Mo. App. 133, 568
v. Relfe, 74 Mo. 495, 95
v. Richmond, &c., R. Co., 112 N. Car. 720, 1164, 1168
v. Robertson, 86 Tex. 511, 1059
v. Searcy, 81 Ga. 536, 167, 377, 511
v. Southey, 5 B. & Ald. 247, 1525
v. Toronto, &c., R. Co., 33 U. C. Q. B. 474, 1608, 1645
v. Toronto, &c., R. Co., 35 U. C. Q. B. 453, 1625a
v. West End, &c., R. Co., 31 L. J. R. (Ch.) 500, 924
Alexander Ave., In re, 17 N. Y. 933, 785
Alexander's Cotton, 2 Wall. 404, 1458
Alexandria Canal Co. v. Swann, 5 How. (U. S.) 83, 618
Alexandria, &c., R. R. Co., v. Alexandria, &c., Co., 75 Va. 780, 41, 922, 951, 958, 966, 974, 1010
v. Herndon, 87 Va. 193, 1590, 1590a, 1641
v. McHugh (Ind.), 40 N. E. 80, 1071
Alexandre v. Atlantic, &c., R. Co., 56 S. E. 697, 1724
Alford v. Miller, 32 Conn. 543, 440
Alfson v. Bush Co., 182 N. Y. 393, 1366a
Algelt v. San Antonio, 81 Tex. 436, 1096i
Allain v. Pennsylvania R. Co., 183 Pa. St. 174, 1521
Allan v. Gillette, 127 U. S. 589, 535
v. State Steamship Co., 132 N. Y. 91, 223, 1388
Allard v. Chicago, &c., R. Co., 73 Wis. 165, 1243a
v. Lobau, 3 Martin (La.), N. S. 293, 1025
Allardt v. People, 197 Ill. 501, 734
Alleged Unlawful Rates, In re, 7 I. C. C. 240, 1686a
Alleged Unlawful Rates, In re, 8 I. C. C. 121, 1684i, 1686a
Alleghany v. Ohio, &c., R. Co., 26 Pa. St. 355, 1076
v. Millville, &c., R. Co., 159 Pa. St. 411, 1077, 1081, 1096i 1096p, 1096aa, 1096bi
v. West Penn. R. Co., 138 Pa. St. 375, 786
Allegheny County v. Cleveland, &c., R. R. Co., 51 Pa. St. 228, 22, 27, 28, 649
Allegheny Nat. Bank v. Bailey, 147 Pa. St. 111, 190
Alleghany, &c., R. Co. v. Rehan, 118 Pa. St. 223, 1316
Allegheny, etc., Co. v. Western, etc., Co., 138 Pa. St. 375, 786
Allemong v. Simmons, 124 Ind. 199, 170, 256, 269
Allen, In re, 19 Fed. R. 809, 675
Allen v. Am. Bldg., &c., Ass'n, 49 Minn. 544, 154
v. Archer, 49 Me. 346, 862
v. Armstrong, 16 Iowa, 508, 688
v. Atlantic, &c. R. Co., 54 Ga. 503, 1359
v. Bates, 1 Hilt. (N. Y.) 229, 1561
v. Burlington, &c., R. Co., 57 Iowa, 623, 1269
v. Burlington, &c., R. Co., 64 Ia. 94, 1269, 1274
v. Cape Fear, &c., R. Co., 100 N. Car. 397, 1558
Allen v. Central R. R. Co., 42 Iowa, 683, 537, 563, 572, 573
v. Chicago, &c., R. Co., 94 Wis. 93, 1234
v. Clausmen, 114 Wis. 244, 1096j
v. Curtis, 26 Conn. 456, 291, 318
v. Dallas, &c., R. Co., 3 Woods (U. S.), 316, 549, 1062
v. Dillingham, 60 Fed. R. 176, 577
v. Drew, 44 Vt. 174, 782
v. Dry Dock, &c., R. Co., 2 N. Y. S. 738, 1830
v. Durham, etc., Co., 56 S. E. 942, 1820
v. Fairbanks, 45 Fed. R. 445, 90
v. Gaillard, 1 S. Car. (Rich. N. S.) 279, 94
v. Galveston, 51 Tex. 302, 781, 783, 784
v. Gilby, 3 Dowl. P. C. 143, 1544
v. Goodwin, 92 Tenn. 385, 1317
v. Hanks, 136 U. S. 300, 479
v. Harris, 4 Lea, 190, 552
v. Hill, 16 Cal. 113, 156
v. Jackson, 122 Ill. 567, 535
v. Jones, 47 Ind. 438, 951, 955
v. Logan City, 10 Utah, 279, 1290
v. London, &c., R. Co., L. R. 6 Q. B. 65, 214, 1265
v. Londonderry, &c., R. R. Co., 25 W. R. 524, 84
v. Louisiana, 103 U. S. 80, 881, 895, 900
v. Maine, &c., R. Co., 79 Me. 327, 1539, 1542, 1543a
v. Maine, &c., R. Co., 82 Me. 111, 1166
v. Montgomery, &c., Co., 11 Ala. 437, 150, 151, 182, 489
v. New Jersey Southern R. R. Co., 49 How. Pr. (N. Y.) 14, 606
v. Northern Pac. R. Co., 35 Wash. 221, 1644
v. Pegram, 16 Iowa, 163, 79
v. Pullman's Palace Car Co., 191 U. S. 171, 760, 762
v. St. Louis Transit Co., 183 Mo. 411, 1782
v. South Boston R. R. Co., 150 Mass. 200, 80, 97, 226
v. Texas, &c., R. Co. (Tex. C. App.) 27 S. W. 943, 1262
v. Union, &c., R. Co., 7 Utah, 239, 1273, 1278, 1689g
v. Utica, &c., R. Co., 15 Hun (N. Y.), 80, 1046a
v. Wabash, &c., R. Co., 84 Mo. 646, 1048
v. Willard, 57 Pa. St. 374, 1063
v. Williams, 12 Pick. 297, 1428, 1523
v. Wilmington, &c., R. Co., 102 N. C. 381, 1027, 1048
Allender v. Chicago, &c., R. Co., 37 Iowa, 264, 1579, 1804
v. Railway Co., 43 Ia. 276, 1628a
Allentown v. Henry, 73 Pa. St. 404, 782
Allentown First National Bank v. Hock, 89 Pa. St. 324, 283
Allentown School Dist. v. Derr, 115 Pa. St. 439, 487
Allerton v. Allerton, 50 N. Y. 670, 1377
v. Boston, &c., R. Co., 146 Mass. 241, 1171, 1179i, 1592
v. Lang, 10 Bosw. (N. Y.) 362, 97
Allibone v. Hager, 46 Pa. St. 48, 95, 107
Alling v. Boston, &c. R. Co., 126 Mass. 121, 1649

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Alling v. Ward (Ill.), 24 N. E. 551, 609
v. Ward, 30 Am. & Eng. Corp. Cas. 133, 91
v. Wenzel, 133 Ill. 264, 91, 609
v. Wenzell, 27 Ill. App. 511, 276
Allis v. Jones, 45 Fed. R. 148, 266, 373, 485
Allis-Chalmers Co. v. Iron Molders' Union, 150 Fed. 155, 634
Allison v. Chicago, etc., R. Co., 42 Ia. 274, 1806
v. Coal Co., 87 Tenn. 60, 266
v. Louisville, &c., R. Co., 9 Bush (Ky.), 247, 844, 848
v. Southern R. Co., 129 N. Car. 336, 1314
v. State, 42 Ind. 354, 730
Allison, &c. Co. v. McCormick, 118 Pa. St. 519, 1274
Allman v. Havana, &c. R. Co., 88 Ill. 521, 111, 111a
All Saint's Church v. Lovett, 1 Hall (N. Y. Sup. Ct.), 191, 246
Allyn v. Boston, &c., R. Co., 105 Mass. 77, 1165, 1702
v. Willis, 65 Tex. 65, 1539, 1539a
Almand v. Atlantic, &c. R. Co. (Ga.) 34 S. E. 6, 1096h
v. Georgia, &c., R. Co., 95 Ga. 775, 1711
Almy v. State, 24 How. (U. S.) 169, 760, 1671
Alpena Co. v. Simmons, 104 Mich. 305, 881
Alsager v. St. Katherine's Dock Co., 14 M. & W. 794, 1572
Alsever v. Minneapolis, &c., R. Co., 115 Ia. 338, 1265
Alsobrook v. State, 54 S. E. 805, 730
Alsop v. DeKoven, 107 Ill. App. 190, 304
v. Ohio, &c., R. Co., 19 Ill. App. 292, 1201
v. Southern, &c. Co., 104 N. Car. 278, 1453
Alston v. Stewart, 148 Pa. St. 51, 1810
Alta, &c., Co. v. Alta, &c., Co., 78 Cal. 629, 285, 492
Altee v. South Carolina R. Co., 21 S. Car. 550, 1271
Altgelt v. City of San Antonio, 81 Tex. 436, 1077, 1096l
Althorf v. Wolfe, 22 N. Y. 355, 1305, 1378
Alton R. Co. v. Mayfield, 95 Ill. 146, 328
Alton, &c., R. Co. v. Carpenter, 14 Ill. 190, 987
v. Deitz, 50 Ill. 210, 1057
v. Northcott, 15 Ill. 49, 1059
Alton, &c., Trac. Co. v. Oliver, 217 Ill. 15, 1096cv, 1830
Altoona, &c., R. Co. v. Beech Creek R. Co., 177 Pa. St. 443, 1056b
v. Tyrone, &c., R. Co., 160 Pa. St. 623, 1123
Alvis v. Whitney, 43 Ind. 83 853, 872
Alvord v. Syracuse, &c., Bank, 98 N. Y. 599, 903
Alward v. Holmes, 10 Abbott (N. C.) 96, 398
Amacker v. Northern Pac. R. Co., 58 Fed. R. 850, 803
Amato v. Northern, &c., R. Co., 46 Fed. R. 561, 1313
Ambergate, &c., R. Co. v. Mitchell, 4 Ex. R. 540, 134, 135
Ambrose v. Raley, 58 Ill. 506, 948
Ambrose, &c., Co., In re, L. R. 14 Ch. Div. 390, 89
American Alkali Co. v. Campbell, 113 Fed. 398, 137, 178
v. Kurtz, 134 Fed. 668, 178
American Bank v. Adams, 12 Pick. (Mass.) 303, 233
v. Cooper, 54 Me. 438, 563
American Bank Note Co. v. N. Y. El. R. R. Co., 129 N. Y. 252, 7, 948
v. New York, &c., R. Co., 50 Am. & Eng. R. Cas. 292, 401
American Bonding, &c., Co. v. Baltimore, &c., R. Co., 124 Fed. 866, 1062
American Brewing Ass'n v. Talbot, 141 Mo. 681, 1644
American Bridge Co. v. Bainum, 146 Fed. 367, 1268
v. Seeds, 144 Fed. 605, 1318, 1333
American Cont. Co. v. Cross, 71 Ky. 472, 1647
v. Jacksonville, &c., Ry. Co., 52 Fed. R. 937, 562
American Ex. Co. v. Baiwin, 26 Ill. 504, 1401
v. Fletcher, 25 Ind. 492, 1525, 1526, 1535
v. Greenhalgh, 80 Ill. 68, 1524, 1530
v. Iowa, 196 U. S. 133, 1665
v. Jennings, 86 Miss. 329, 1731
v. Lesem, 39 Ill. 312, 1423, 1528, 1530
v. Patterson, 73 Ind. 430, 1638
v. People, 133 Ill. 649, 1492
v. Perkins, 42 Ill. 458, 1422
v. Second Nat. Bank, 69 Pa. St. 394, 1435, 1438, 1450
v. Smith, 33 Ohio St. 511, 1449, 1455
v. Southern Ind. Express Co., 78 N. E. 1021, 1358d, 1668
v. Stack, 29 Ind. 27, 1523, 1526, 1535
American Finance Co. v. Bostwick, 151 Mass. 19, 646
American Fur Co. v. United States, 2 Pet. (U. S.) 358, 170
American Ice Co. v. New York, &c. R. Co., 50 Misc. (N. Y.) 183, 1790
American Ins. Co. v. Canter, 1 Pet. 511, 1663
v. Oakley, 9 Paige (N. Y.), 496, 615
American Inv. Co. v. Yost, 25 Abb. N. C. (N. Y.) 274, 158
American Legion of Honor v. Perry, 140 Mass. 580, 191
American Livestock Co. v. Chicago, &c., Exchange, 143 Ill. 210, 193
American Loan, &c., Co. v. Central Vt. R. Co., 84 Fed. 917, 573
v. East & W. R. Co., 37 Fed. R. 242, 30, 512
v. Minnesota, &c., R. Co., 157 Ill. 641, 322, 322a, 933, 956, 957
v. St. Louis, &c., R. Co., 42 Fed. R. 819, 484
v. Toledo, &c., R. Co., 29 Fed. R. 416, 540, 541, 545, 546, 549
American Locomotive Co. v. Hoffman, 105 Va. 343, 1584
American Nat. Bank v. Georgia R. Co., 96 Ga. 665, 1451
v. Henderson, 123 Ala. 612, 1426, 1429a
v. Oriental Mills, 17 R. I. 551, 98
v. Supple, 115 Fed. 657, 180
American Pastoral Co., In re, 62 L. T. R. 625, 35

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

American Print Works v. Lawrence, 23 N. J. L. 9, 590, 950
American R. Frog Co. v. Haven, 101 Mass. 398, 95, 158, 164
American Rapid Tel. Co. v. Connecticut Telephone Co., 49 Conn. 352, 388
v. Hess, 125 N. Y. 641, 668
American Refrigerator Transit Co. v. Hall, 174 U. S. 70, 755
American Rolling Mills Co. v. Hullinger, 161 Ind. 673, 1337, 1346
American Salt Co. v. Heidenheimer, 80 Tex. 344, 190
American Standard Jewelry Co. v. Witherington, 98 S. W. 695, 1535
American Steamship Co. v. Bryan, 83 Pa. St. 446, 1654
American Strawboard Co. v. Chicago, &c., R. Co., 177 Ill. 513, 1701
v. Foust, 12 Ind. App. 42, 1816
American Sugar, &c., Co. v. City, 181 U. S. 277, 740
v. Louisiana, 179 U. S. 89, 772a
American Surety Co. v. Lauber, 22 Ind. App. 326, 1060a
v. Pauly, 170 U. S. 133, 1060a
American T. Co. v. Moore; 5 Mich. 368, 1417, 1455, 1503, 1507
v. Pearce, 71 Md. 535, 977
American Tel., &c., Co. v. Morgan, &c., Co., 138 Ala. 597, 1096u
v. Smith, 71 Md. 535, 994a, 1010
American Tube Works v. Boston, &c., Co., 139 Mass. 5, 82, 86
v. Kentucky, &c., Co., 51 Fed. R. 826, 506, 508
American Water-Works Co. v. Farmers, &c., Co. (Col.) 25 L. R. A. 338, 27
v. Farmers' Loan, &c., Co., 73 Fed. 956, 521
American Wire Nail Co. v. Bayless, 91 Ky. 94, 80, 89, 98
v. Gedge (Ky.), 29 S. W. 353, 312
American Zinc, &c., Co. v. Markle Lead Works, 102 Mo. App. 158, 1428
American, &c., Ass'n v. Illinois Cent. R. Co., 7 Int. Com. 556, 1684l
American, &c., Bank v. Ward, 111 Fed. 782, 600, 604
American, &c., Christian Union v. Yount, 101 U. S. 352, 801
American, &c., Exp. Co. v. Milk, 73 Ill. 224, 1523, 1526
v. Schier, 55 Ill. 140, 1425
American, &c., R. Co. v. Huntington, &c., R. Co., 130 Ind. 98, 1042
v. Johnson, 60 Fed. R. 503, 1361
v. Toledo, &c., R. Co., 29 Fed. 416, 538
American, &c., Union v. Yount, 101 U. S. 352, 383
American, &c., Co. v. Board, &c., 43 Fed. R. 609, 667
v. Consolidation Co., 46 Md. 15, 635, 1564
v. Foust, 12 Ind. App. 421, 1819
v. Guy, 25 Ind. App. 588, 1361
v. Huntington, &c., R. Co., 130 Ind. 98, 1046a
v. Lea, 56 Ark. 539, 621a
v. Minneapolis, St. Paul, &c., Co., 44 Minn. 93, 213
v. Norris, 43 Fed. R. 711, 237
v. Oakley, 9 Paige, 496, 285
v. St. Louis, &c., R. Co., 101 S. W. 576, 1040a
v. Sands, 55 Pa. St. 140, 1535
American, &c., Co. v. Taylor Manuf. Co., 46 Fed. 152, 237, 395
v. Wetherington, 98 S. W. 695, 1527a
Ameriscoggin Bridge Co. v. Bragg, 11 N. H. 102, 949
Ames v. Chicago, &c., R. Co., 39 Fed. R. 881, 650
v. Fargo, 99 N. Y. S. 994, 1557
v. First Div. St. Paul, &c., R. Co., 12 Minn. 412, 1692
v. Kansas, 111 U. S. 449, 53, 644, 646, 652
v. Lake Shore, &c., R. Co., 135 Ind. 363, 1288, 1766
v. Lake Superior, &c., R. Co., 21 Minn. 241, 1011, 1012, 1013, 1017
v. New Orleans, &c., R. R. Co., 2 Woods (U. S.) 206, 487
v. Palmer, 42 Me. 197 1570
v. Southern Pac. Co., 141 Cal. 728, 1593
v. Trustees, 20 Beav. 332, 563
v. Union Co., 17 Ore. 600, 1029, 1096bm
v. Union Pac. Ry. Co., 60 Fed. R. 674, 567
v. Union Pac. Ry. Co., 62 Fed. R. 7, 567
v. Union, &c., Ry. Co., 60 Fed. R. 966, 555, 566
v. Union Pac. R. Co., 64 Fed. R. 165, 692, 693, 702, 1560, 1664, 1667, 1669, 1670c, 1684b
Amesbury v. Bowditch, &c., Co., 6 Gray (Mass.), 596, 193
Amherst Bank v. Root, 2 Metc. (Mass.) 522, 232
Amies v. Stevens, 1 Stra. 128, 1457
Ammant v. New Alexandria, &c., Co., 13 Serg. & R. 210, 73, 520
v. President, &c., 13 Serg. & R. 212, 72, 790
Ammendale, &c., Inst. v. Anderson, 71 Md. 128, 1070
Ammons v. Railway, 138 N. Car. 555, 200, 1601, 1603
v. Southern R. Co., 140 N. Car. 196, 1798, 1801
Amory v. Wabash R., 130 Mich. 404, 1649
Armory Mfg. Co. v. Gulf, &c., R. Co., 89 Tex. 419, 1505a
Amos v. Temperley, 8 M. & W. 798, 1559
Amoskeag Bank v. Ottawa, 105 U. S. 667, 831
Amoskeag, &c., Co. v. Worcester, 60 N. H. 522, 956
Amsden v. Norwich, &c., Ins. Co., 44 Fed. R. 515, 649
Amsinck v. Balderston, 41 Fed. R. 641, 646
Amsterdam, &c., R. Co., In re, 86 Hun (N. Y.), 578, 920a
Amy v. Dubuque, 98 U. S. 470, 486
v. Manning, 38 Fed. R. 536, 651
Anbrush v. Oakdale, 28 Minn. 61, 988
Anchor Line v. Dater, 68 Ill. 369, 1441, 1448
Anchor Mill Co. v. Railroad Co., 102 Ia. 262, 1428, 1519, 1523
Ancona v. Becker, 14 Pa. Co. Ct. 73, 740
Ander v. Ely, 158 U. S. 312, 493
Anderson's Case, L. R. 7 Ch. Div. 75, 91
Anderson v. Bennett, 16 Ore. 515, 1288, 1316, 1317

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Anderson v. Birmingham, &c., R. Co. (Ala.), 19 So. 661, 1215
v. Bowers, 40 Fed. R. 708, 647
v. Caldwell, 91 Ind. 451, 1012
v. Canadian Pac. R. Co., 17 Ont. R. 747, 1661
v. Cape Fear, &c., Co., 64 N. Car. 399, 1224
v. Central R. Co., 68 N. J. L. 269, 1172, 1261
v. Chicago, &c., R. Co., 87 Wis. 195, 1248, 1250, 1252, 1257
v. Chicago &c., R. Co., 35 Neb. 95, 1378a
v. Chicago, &c., R. Co., 85 Minn. 337, 1057j
v. Cincinnati S. R. Co., 86 Ky. 44, 519
v. Citizens' St. R. Co., 12 Ind. App. 194, 1096cy, 1628
v. City, &c., R. Co., 42 Ore. 505, 1636
v. Clark, 2 Bing. 20, 1426
v. Comer, 43 Misc. (N. Y.) 384, 352
v. Des Moines, &c., Co. (Iowa) 66 N. W. 64, 1573
v. Dunn, 6 Wheat. 204, 675
v. Fielding, 92 Minn. 42, 1361a
v. Fleming, 160 Ind. 597, 1063
v. Illinois, &c., R. Co., 109 Ia. 524, 1796
v. Jett, 89 Ky. 375, 1675
v. Lake Shore, &c., R. Co., 26 Ind. App. 196, 1512, 1557, 1714
v. Longden, 1 Wheat. (U. S.) 85, 209
v. Louisville, &c., R. Co., 62 Fed. 46, 1577a
v. Metropolitan St. R. Co., 30 Misc. (N. Y.) 104, 1096ce
v. Michigan Cent. R. Co., 107 Mich. 591, 1268
v. Middle & East Tenn. Central R. Co., 91 Tenn. 44, 20, 46, 111, 111a, 115, 118, 127
v. Milwaukee, &c., Ry. Co., 37 Wis. 321, 1366
v. Minneapolis St. R. Co., 42 Minn. 490, 1095, 1096cb, 1096ce
v. Missouri Pac. R. Co., 196 Mo. 442, 1592, 1635
v. New Castle, &c., R. R. Co., 12 Ind. 376, 102, 175
v. Northeastern R. Co., 4 L. T. (N. S.) 216, 1662a
v. North Pac. R. Co., 21 Ore. 281, 1702
v. Ogden, etc., R. Co., 7 Utah, 396, 1329
v. Oregon R. Co., 45 Ore. 211, 1224, 1244, 1245a, 1245b
v. Pemberton, 89 Mo. 61, 1025, 1048
v. Rochester, &c., R. Co., 9 How. Pr. (N. Y.) 553, 1049c
v. St. Louis, 47 Mo. 479, 1019
v. Santa Ana, 116 U. S. 356, 768, 843, 847, 896, 915
v. Scott, 70 N. H. 350, 129
v. Stowart, 76 Wis. 43, 1149
v. Toledo, &c., R. Co., 32 Ia. 86, 723a
v. Turbeville, 6 Coldw. (Tenn.) 150, 952, 1012
v. United States, 171 U. S. 604, 1674, 1678
v. Wabash, &c., R. Co., 65 Iowa, 131, 1655, 1658, 1660
v. Wasatch, &c., R. Co., 2 Utah, 518, 1242
v. Winston, 31 Fed. R. 528, 1317

Anderson County v. Houston, &c., R. Co., 52 Tex. 228, 872, 897
Anderson County Comrs. v. Beal, 113 U. S. 227, 896, 897, 905, 913
Anderson, &c., R. Co. v. Kernodle, 54 Ind. 314, 1049, 1055
Andes v. Ely, 158 U. S. 312, 493, 858, 883, 894, 898
Andover, The, 3 Blatchf. (U. S. C. C.) 303, 1561
Andre v. Chicago, &c., R. Co., 30 Iowa, 107, 1193, 1197
Andrew v. Chicago, &c., R. Co., 45 Ill. App. 269, 1689c
v. Nantasket, &c., R. Co., 152 Mass. 506, 1000a
Andrews v. Bacon, 38 Fed. R. 777, 184
v. Beane, 15 R. I. 451, 862
v. Birmingham, &c., R. Co., 99 Ala. 436, 1314
v. Capitol, &c., R. Co., 2 Mackey, 137, 1630
v. Central R. Co., 86 Ga. 192, 1169
v. Chicago, &c., R. Co., 86 Iowa, 677, 1634
v. Chicago, &c., R. Co., 129 Ia. 162, 1814
v. Chicago, &c., R. Co., 96 Wis. 348, 1704
v. Delhi, &c., Tel. Co., 66 App. Div. (N. Y.) 616, 1049
v. Dieterich, 14 Wend. (N. Y.) 31, 1451
v. Ft. Worth, &c., R. Co. (Tex.) 25 S. W. 1040, 1578
v. Hart, 17 Wis. 297, 131
v. National Foundry and Pipe Works, 61 Fed. R. 782, 68, 1077, 1096l
v. N. Y., &c., R. Co., 60 Conn. 293, 1156, 1161
v. Ohio, &c., R. Co., 14 Ind. 169, 127, 134, 142
v. Pratt, 44 Cal. 309, 275
v. Smith, 19 Blatchf. (U. S.) 100, 553
v. Steele City Bank, 57 Neb. 173, 574
v. Worcester, &c., R. Co., 159 Mass. 64, 78, 79
v. Yazoo R. Co. 86 Miss. 129, 1638
Andrews, &c., Co. v. Pittsburgh, &c., Co., 3 Interst. Com. R. 77, 1678
Androscoggin, &c., R. Co. v. Stevens, 28 Me. 434, 24
Androscoggin, &c., Co. v. Androscoggin R. Co., 52 Me. 417, 356, 1056b
v. Bethel, &c., Co., 64 Me. 441, 709
Angel v. Hume, 17 Hun (N. Y.), 374, 858, 865
Angell v. Silsbury, 19 How. Pr. 48, 73
Angier v. East Tenn., &c., R. Co., 74 Ga. 634, 339
v. East Tenn., &c., R. Co., 75 Fed. 433, 29
Angle v. Chicago, &c., R. Co., 151 U. S. 1, 1688
v. Mississippi, &c., Railroad, 9 Iowa, 487, 1435
v. Mississippi, &c., R. Co., 18 Iowa, 555, 303, 1524, 1535, 1718
Anglin v. American, &c., Co., 96 N. Y. S. 49, 1333a
v. Texas, &c., R. Co., 60 Fed. R. 553, 1288, 1290
Anglo-American, &c., Co. v. Dyer, 181 Mass. 593, 111a, 137

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Anglo-Californian, &c., Bank v. Mahoney, &c., Co., 5 Sawy. 255, 246
Angus v. Dalton, L. R. 6 H. L. 740, 1096ar
Ann Arbor R. Co. v. Beech, 110 Mich. 209, 1054
Annacker v. Chicago, &c., R. Co., 81 Iowa, 267, 1160
Annapolis v. Harwood, 32 Md. 471, 782
Annapolis, &c., R. Co. v. Baldwin, 60 Md. 88, 1180
v. Gantt, 39 Md. 115, 1231, 1242, 1243, 1243a
v. Pumphrey, 72 Md. 82, 1150, 1151a, 1213
v. Ross, 68 Md. 310, 1059
v. State, 65 Atl. 434, 1151
Annas v. Milwaukee, &c., R. Co., 67 Wis. 46, 1376, 1498, 1608, 1627, 1645
Anness v. Providence, 13 R. I. 17, 684
Annislead v. Shreveport, &c., R. Co., 108 La. Ann. 171. 1729
Anniston Elec., &c., Co. v. Elwell, 144 Ala. 317. 1096bo
v. Hewitt, 139 Ala. 442. 1205
Anniston, &c., R. Co. v. Jacksonville, &c., R. Co., 82 Ala. 297, 921, 974, 1010, 1119, 1125, 1126
v. Ledbetter, 92 Ala. 326, 1533
Ansell v. Waterhouse, 6 M. & S. 385, 1693
Anspach v. Mahanoy, &c., R. Co., 5 Phila. (Pa.) 491, 929
Anthony v. American Glucose Co. (N. Y.) 41 N. E. 23, 327
v. County Commrs., 14 Pick. (Mass.) 189, 1045
v. Granger, 22 R. I. 359, 1048
v. Household, &c., Co., 16 R. I. 571, 82
v. Jasper, 101 U. S. 693, 876, 887, 896, 898, 900, 908
v. Jasper County, 4 Dill. 136, 882, 908
v. Leeret, 105 N. Y. 591, 1288
v. Louisville, &c., R. Co., 27 Fed. R. 724, 1587
v. New York, &c., R. Co., 162 Mass. 60, 1036b, 1233
v. State, 49 Kan. 246, 914
Anthony Salt Co. v. Missouri Pac. R. Co., 4 Int. Com. R. 33. 1678a, 1682
Anthony, &c., Brick Co. v. Ashley, 198 Ill. 562, 1378a
Antonio v. Jones, 28 Tex. 19, 47
Anvil Mining Co. v. Sherman, 74 Wis. 226, 19, 111a
Appeal Tax Court v. Northern, &c., R. Co., 50 Md. 417, 748b
v. Rice, 50 Md. 312, 746
v. University, 50 Md. 465, 746
v. Western, &c., R. Co., 50 Md. 274, 456
Appel v. Buffalo, &c., R. Co., 111 N. Y. 550, 1288, 1297
Appellant, Hunt, 141 Mass. 515, 94
Appelton Water Works Co. v. Central Trust Co., 93 Fed. 286, 565
Appleby v. St. Paul, &c., R. Co., 54 Minn. 169. 1594
v. South Carolina, &c., R. Co., 60 S. Car. 48, 1801
Applegate v. Ernst, 3 Bush, 648, 737, 741, 750
Appleton v. American Malt Co., 65 N. J. Eq. 375. 167
Appleyard's Case, 49 L. J. Ch. 290, 110
Application for Widening Roffignac Street, 4 Rob. (La.) 357, 1045
Application of Brooklyn, &c., R. Co., In re, 125 N. Y. 434, 629
of Cooper, &c., In re, 93 N. Y. 507, 1041
of Mayor, &c., of New York, In re, 99 N. Y. 569, 953, 1014
of Syracuse, &c., Co., Matter of, 91 N. Y. 1, 245
of Village of Middletown, 82 N. Y. 196, 1020
Arapahoe Co. v. Kansas Pac. R. Co., 4 Dill. (U. S. C. C.) 277, 647
Arapahoe Investment Co. v. Platt (Colo.), 39 Pac. R. 584, 14
Arapahoe, &c., Co. v. Stevens, 13 Colo. 534, 110, 192, 220, 230, 285
Arasmith v. Temple, 11 Ill. App. 39, 215
Arbenz v. Wheeling & H. R. Co., 33 W. Va. 1, 630
Arbuckle v. Illinois Midland R. Co., 81 Ill. 429, 338, 1065, 1067, 1070, 1071
v. Thompson, 37 Pa. St. 170, 1692
Arcade File Works v. Juteau, 15 Ind. App. 460, 1285, 1309
Arcata v. Arcata, &c., R. R. Co., 92 Cal. 639, 47, 69, 1096n, 1879
Archambeau v. New York, &c., R. Co., 170 Mass. 727, 581
v. Platt, 173 Mass. 249, 580
Archer v. American, &c., Co., 50 N. J. Eq. 33, 157
v. Board, 128 Fed. 125, 1048
v. Ft. Wayne, &c., R. Co., 87 Mich. 101, 1096cs
v. Terre Haute, &c., R. Co., 102 Ill. 493, 322, 324, 434, 444, 451
Archibald v. Mississippi, &c., R. Co., 66 Miss. 424, 628
Ardesco Oil Co. v. North American, &c., Co., 66 Pa. St. 375, 602
Arend v. Liverpool, &c., Co., 64 Barb. 118, 1420, 1481
Arenschield v. Chicago, &c., R. Co., 128 Ia. 677, 1702
Arents v. Commonwealth, 18 Gratt. (Va.) 750, 484, 487, 882
Arenz v. Weir, 89 Ill. 25, 187
Argenti v. City of San Francisco, 16 Cal. 255. 369, 372
Argus Co. v. Mayor, 55 N. Y. 495, 265
Argus Printing Co., Re, 1 N. Dak. 434, 157, 241
Argus Printing Co., Re, 12 L. R. A. 781, 155
Arimond v. Green Bay, &c., Co., 31 Wis. 316, 976, 977
Arkadelphia Cotton Mills v. Trimble, 54 Ark. 316, 111a
Arkadelphia Lumber Co. v. Smith, 95 S. W. 800, 1303a, 1578a
Arkansas v. Choctaw, &c., R. Co., 134 Fed. 106, 652
Arkansas Cent. R. Co. v. Bennett, 102 S. W. 198, 1840
v. McKay, 30 Ark. 682, 1071
v. Smith, 71 Ark. 189, 1005
v. State, 72 Ark. 252. 709, 1114
Arkansas Southern R. Co. v. Loughridge, 65 Ark. 300, 222
v. Wilson, 42 So. 976, 869, 874a
Arkansas, &c., R. Co. v. Berry, 44 Ark. 17, 748
v. Canman, 52 Ark. 517, 1191, 1587, 1629, 1644
v. Dickinson, 95 S. W. 802, 227, 1267
v. Griffith, 63 Ark. 491, 1776, 1813
v. Smith, 53 Ark. 275, 1563

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Arkansas, &c., R. Co. v. Stroude, 77 Ark. 109, 1774, 1801
Arkansas, &c., Co. v. Farmers', &c., Co., 13 Colo. 587. 89, 166
v. Hobbs, 105 Tenn. 29, 1804
Arkansas Midland, &c., R. Co. v. Whitley, 54 Ark. 199, 1188
Armant v. New Orleans, &c., R. Co., 41 La. Ann. 1020, 310, 311
Armentrout v. St. Louis, &c., R. Co., 1 Mo. App. 158, 1393, 1457a
Armil v. Chicago, &c., R. Co., 70 Ia. 130, 1689i
Armington v. Barnet, 15 Vt. 745, 964, 967
Armistead v. Shreveport, &c., R. Co., 108 La. 171, 1804
Armistead Lumber Co. v. Louisville, &c., R. Co. (Miss.) 11 So. 472, 1521
Armiston, &c., R. Co. v. Jacksonville, &c., R. Co., 82 Ala. 297, 964
Armour v. Hahn, 111 U. S. 313, 1302
v. Michigan Cent. R. Co., 65 N. Y. 111, 303, 1419
v. Ryan, 61 Ill. App. 314, 1697
Armory Mfg. Co. v. Gulf, &c., R. Co., 89 Tex. 419, 1505
Armroyd v. Union Ins. Co., 3 Binn. (Pa.) 437, 1562
Arms v. Conant, 36 Vt. 744, 262, 264, 491
Armsby v. Union Pac. R. Co., 4 Fed. 706, 1733
Armstrong v. Ackley, 71 Iowa, 76, 1177
v. Beadle, 5 Sawyer, 484, 1366
v. Chicago, &c., R. Co., 53 Minn. 183, 1507, 1512
v. Forg, 162 Mass. 544, 1283
v. Galveston, &c., R. Co. (Tex. Civ. App.) 29 S. W. 1117, 1499
v. Galveston, &c., R. Co., 92 Tex. 117, 1438, 1506
v. Karshner, 47 Ohio St. 276, 113, 117, 118, 122, 128
v. Medbury, 67 Mich. 250, 1248
v. New York, &c., R. Co., 20 R. I. 791, 1761
v. New York, &c., R. Co., 53 Minn. 183, 1507
v. Oregon, &c., R. Co., 8 Utah, 420, 1327a
v. Taylor, 41 W. Va. 602, 752
v. United States Exp. Co., 159 Pa. St. 640, 1551
Armsworth v. Southeastern R. Co., 11 Juris. 758, 1373
Arnison v. Smith, 59 L. T. R. 627, 127
Arnold v. Bright, 41 Mich. 207, 556
v. Covington, &c., Bridge Co., 1 Duv. (Ky.) 372, 960, 985, 1050
v. Delaware, &c., Co., 125 N. Y. 15, 1296a
v. Georgia R., &c., Co., 50 Ga. 304, 1564
v. Hudson River R. Co., 55 N. Y. 661, 49 Barb. 108, 976
v. Illinois, &c., R. Co., 83 Ill. 273, 200, 1608, 1629, 1693
v. Jones, 26 Tex. 335, 1423
v. Maryville, 110 Mo. App. 254, 1772
v. Pennsylvania R. Co., 115 Pa. St. 135, 1578, 1598, 1637
v. Philadelphia, &c., R. Co., 161 Pa. St. 1, 1166a
v. Potter, 22 Iowa, 194, 1494
v. Prout, 51 N. H. 587, 1426, 1692
v. Rhode Island Co., 66 Atl. 60, 1594, 1594a, 1785
Arnold v. Weimer, 40 Neb. 216, 563
Arnot v. Erie Ry. Co., 67 N. Y. 315, 481
Arrighi v. Denver, &c., R. Co., 129 Fed. 847, 1296b
Arrington v. Savannah, &c., R. Co., 95 Ala. 434, 42, 923
Arrowsmith v. Nashville, &c., R. Co., 57 Fed. R. 165, 468, 473, 647, 650, 1578
Arthur v. Chicago, &c., R. Co., 61 Iowa, 648, 1521
v. Commercial & R. Bank, 9 S. M. (Miss.) 394, 525, 602
v. Griswold, 55 N. Y. 400, 282
v. Oakes, 63 Fed. R. 310, 567, 575, 633
v. St. Paul, &c., R. Co., 38 Minn. 95, 1519, 1522, 1533
v. School District, 164 Pa. St. 410, 751
v. Texas, &c., R. Co., 139 Fed. 127, 1463, 1504
v. The Cassius, 2 Story (U. S. C. C.), 81, 1558
Artizan's Bank v. Treadwell, 34 Barb. (N. Y.) 553, 563
Arctic Bird, The, 109 Fed. 167, 1423, 1502, 1512, 1734, 1738
Artman v. Kansas Cent. R. Co., 22 Kan. 296, 1151
Artusy v. Missouri, &c., R. Co., 73 Tex. 191, 1096cl
Artz v. Chicago, &c., R. Co., 44 Iowa, 284, 1160
v. Chicago, &c., R. Co., 34 Iowa, 153, 1161, 1174, 1703
Ascher v. Grand Trunk, &c., R. Co., 36 U. C. Q. B. 609, 1542
Ash v. Baltimore, &c., R. Co., 72 Md. 144, 1366
v. Cummings, 50 N. H. 591, 925, 953, 954, 960
v. Wilmington, &c., R. Co., 148 Pa. St. 133, 1167
Ashbrook v. Frederick, &c., R. Co., 18 Mo. App. 290, 1096cz, 1402, 1630
Ashbury v. Watson, L. R. 30 Ch. Div. 376, 81
Ashbury, &c., Co. v. Riche, L. R. 7 H. L. 653, 368, 371, 374, 376, 382, 440
Ashby v. Eastern R. Co., 5 Met. (Mass.) 368, 1025
v. Elsberry, &c., Co., 111 Mo. App. 79, 1822
Asher v. Louisville, &c., Railroad Co., 87 Ky. 391, 980, 987, 1051
v. St. Louis, &c., R. Co., 79 Mo. 432, 1201
v. Sutton, 31 Kan. 286, 283, 285
v. Texas, 128 U. S. 129, 759, 1670
Ashenbroedel Club v. Finlay, 53 Mo. App. 256, 369
Asheville Division, &c., v. Aston, 92 N. C. 578, 52, 62, 392, 426, 568
Asheville St. Ry. Co. v. Asheville, 109 N. Car. 688, 69, 632, 1079, 1096n
Ashhurst's Appeal, 60 Pa. St. 290, 169, 275, 276, 529
Ashland St. R. Co. v. Ashland, 78 Wis. 271, 1082, 1082a, 1096al, 1096aj
v. Faulkner (Ky.), 45 S. W. 235, 1096be
Ashley v. Board, 60 Fed. R. 55, 835
v. Burt Co., 102 N. W. 272, 1000, 1001
v. Hart, 147 Mass. 573, 1349, 1352
v. Quintard, 90 Fed. 84, 626
v. Ryan, 153 U. S. 436, 322, 761, 766
v. Ryan, 49 Ohio, 504, 335, 339

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ashley v. Supervisors, 60 Fed. 55, 323
Ashman v. Flint, &c., R. Co., 90 Mich. 567, 1272a, 1296
Ashmore v. Pennsylvania, &c., Co., 28 N. J. L. 180, 1424
Ashpitel v. Sercombe, 5 Ex. 147, 13
Ashtabula, &c., Co. v. Holmes, 67 Ohio St. 153, 1096cy
Ashtabula, &c., R. R. Co. v. Smith, 15 Ohio St. 328, 103, 111, 112, 113, 121, 386
Ashton v. Atlantic Bank, 3 Allen (85 Mass.), 217, 94
v. Burbank, 2 Dill. (U. S.) 435, 45, 150
v. Corrigan, L. R. 13 Eq. 76, 502
v. Railway Co., 2 K. B. 313, 1595
Ashuelot R. R. Co. v. Elliott, 57 N. H. 397, 43, 486, 514, 530
Ashuelot Shoe Co. v. Holt, 56 N. H. 548, 102
Ashuelot, &c., Co. v. Marsh, 1 Cush. 507, 285
Ashurst v. Lehman, 86 Ala. 370, 556
Ask v. Cummings, 50 N. H. 591, 986
Aspinwall v. Butter, 133 U. S. 595, 87
v. Chicago, &c., Co., 41 Wis. 374, 1025
v. Commissioners, 22 How. 364, 819, 820, 821, 832, 861, 895
v. Daviess County, 22 How. 364, 812
v. Ohio, &c., R. R. Co., 20 Ind. 492, 17, 22, 24, 164, 246, 322
Associated, &c., Grocers v. Missouri Pac. Co., 1 Interstate Com. R. 156, 1600, 1687
Assop v. Yates, 2 H. & N. 768, 1271, 1292
Aston v. Heaven, 2 Esp. 533, 1584
v. McClure, 102 Pa. St. 322, 1107
v. St. Louis, &c., R. Co., 105 Mo. App. 226, 1844
Astor v. Hoyt, 5 Wend. (N. Y.) 603, 1025
v. Mayor, &c., New York, 62 N. Y. 580, 1017
v. New York Railroad Co., 48 Hun (N. Y.), 562, 17
v. New York Arcade R. Co., 113 N. Y. 93, 46
v. Turner, 2 Barb. (N. Y.) 444, 546
v. Wells, 4 Wheat. (U. S.) 466, 226
Astoria, &c., R. R. Co. v. Hill, 20 Ore. 177, 111 111a
Atcherson v. Troy, &c., R. Co., 6 Abb. Pr. (N. S.) 329, 1065
Atchison v. Atlantic, &c., R. Co., 63 Mo. 367, 1239
v. Butcher, 3 Kan. 104, 827
v. Chicago, &c., R. Co., 80 Mo. 213, 1511, 1692
v. Southern R. Co., 114 Ga. 146, 1602
Atchison R. Co. v. Penfold, 57 Kan. 148, 1278
Atchison St. R. Co. v. Missouri, &c., Co., 31 Kan. 661, 1076, 1077, 1096h, 1096u
v. Nave, 38 Kan. 744, 47, 66, 1079, 1096h, 1096n, 1096ac
Atchison, &c., R. Co. v. Adcock, 88 Pac. 180, 1214
v. Allen, 88 Pac. 966, 1551, 1551a
v. Alsdurf, 47 Ill. App. 200, 1268, 1288, 1312
v. Anderson, 65 Kan. 202, 1049c
v. Armstrong, 71 Kan. 366, 1086
v. Arthurs, 63 Kan. 404, 1239
v. Ayers (Kan.), 42 Pac. 722, 1245
Atchison, &c., R. Co. v. Bailey, 11 Neb. 332, 1259
v. Bales, 16 Kan. 252, 1231, 1243, 1243a, 1244, 1245a, 1799
v. Bancord, 66 Kan. 81, 1278
v. Baty, 6 Neb. 37, 665
v. Blackshire, 10 Kan. 477, 987, 993, 995, 996
v. Board of Comrs., 51 Kan. 617, 165, 323
v. Boerner, 34 Neb. 240, 1029, 1086
v. Boerner, 45 Neb. 453, 1038
v. Booth, 53 Ill. App. 303, 1164, 1170
v. Bourdett, 85 Pac. 820, 1570
v. Brassfield, 51 Kan. 167, 1344, 1355
v. Brewer, 20 Kan. 669, 1463, 1655
v. Brown, 2 Kan. App. 604, 1637
v. Bryan (Tex. C. App.), 28 S. W. 98, 1438, 1516, 1694, 1716
v. Calham, 89 Pac. 207, 1590a
v. Calvert, 52 Kan. 547, 1262
v. Campbell, 61 Kan. 43, 672
v. Cameron, 66 Fed. R. 709, 1596
v. Carruthers, 56 Kan. 309, 1280, 1298a
v. Cash, 27 Kan. 587, 1201
v. Chance, 57 Kans. 40, 1808, 1818
v. Clark, 60 Kan. 826, 772
v. Cochran, 43 Kan. 225, 95, 185, 251
v. Commissioners, 17 Kan. 29, 843
v. Cunniffee, 57 S. W. 692, 1789
v. Davidson, 52 Kan. 739, 1087
v. Davis, 34 Kan. 199, 1061, 1435
v. Dennis, 38 Kan. 424, 1227
v. Denver, &c., R. Co., 110 U. S. 667, 367, 388, 636, 662, 674, 699, 1056b, 1394, 1398, 1432, 1438, 1440, 1564, 1663, 1678, 1681, 1685, 1686
v. Dickerson, 4 Kan. App. 345, 1603
v. Dill, 48 Kan. 210, 1454, 1500, 1502, 1502a, 1504, 1512
v. Ditmars, 3 Kan. App. 459, 1511, 1548, 1694, 1716
v. Dwelle, 44 Kan. 394, 1637, 1828
v. Elder, 149 Ill. 173, 1191
v. Fajards, 86 Pac. 681, 1366a
v. Feehan, 149 Ill. 202, 1702
v. Feelan, 47 Ill. App. 66, 1155
v. Fletcher, 35 Kan. 236, 22, 95, 167, 251, 323, 481
v. Flinn, 24 Kan. 627, 1259, 1631
v. Forney, 35 Neb. 607, 1004
v. Frazier, 27 Kan. 463, 1689l
v. Frier, 22 S. W. 6, 1831
v. Fronk, 87 Pac. 698, 1267a, 1358
v. Fuller, 72 Kan. 527, 1151, 1250
v. Gabbert, 34 Kan. 132, 1218
v. Gants, 38 Kan. 608, 1576, 1594, 1596, 1637
v. Garside, 10 Kan. 552, 1085, 1087
v. Gee, 139 Fed. 582, 633
v. Geiser, 68 Kan. 281, 1239, 1245a
v. Gibson, 42 Kan. 34, 1242
v. Gough, 29 Kan. 94, 992, 995, 996, 1138, 1143
v. Grant, 6 Tex. C. App. 674, 1444
v. Griffis, 28 Kan. 539, 1193
v. Hague, 54 Kan. 284, 1114, 1155, 1792
v. Hammer, 22 Kan. 763, 1057, 1057f
v. Harper, 19 Kan. 529, 1220
v. Headland, 18 Colo. 477, 1578, 1582, 1629, 1689h, 1776, 1784

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Atchison, &c., R. Co. v. Henry, 55 Kan. 715, 1638
v. Herman, 85 Pac. 817, 1057d
v. Holland, 60 Kan. 209, 1166
v. Hollaway, 71 Kan. 1, 1589, 1628
v. Holt, 29 Kan. 149, 1193, 1298a, 1299
v. Howe, 32 Kan. 737, 741, 777
v. Hughes, 55 Kan. 491, 1378, 1628
v. Hultt (Kan. App.), 41 Pac. 1049, 1239
v. Hultt (Kan. App.), 41 Pac. 1051, 1246
v. Jefferson Co., 12 Kan. 127, 874
v. Jefferson Co., 21 Kan. 229, 856
v. Johns, 36 Kan. 769, 1256, 16891
v. Johnson, 3 Okl. 41, 1580, 1632
v. Jones, 20 Kan. 527, 1207
v. Jones, 110 Ill. App. 626, 1057e, 1057g, 1804
v. Jones, 9 Neb. 67, 1389
v. Judah, 65 Kan. 474, 1158, 1160
v. Kansas City, &c., R. Co., 67 Kan. 569, 5, 964, 966, 974
v. Kavanaugh, 163 Mo. 54, 1185
v. Koehler, 37 Kan. 463, 1346
v. Lamoreux, 5 Kan. App. 813, 1837
v. Lannigan, 56 Kans. 109, 1689d
v. Lawler, 40 Neb. 356, 1497, 1738
v. Lenz, 35 Ill. App. 330, 359
v. Leuning, 52 Kan. 732, 1087
v. Lindley, 42 Kan. 714, 1305, 1609, 1632, 1643
v. Long (Kan.), 27 Pac. 182, 636
v. Loree, 4 Neb. 446, 1702
v. Lujan, 6 Colo. 338, 1217
v. Lyon, 24 Kan. 745, 991, 1029
v. McCandliss, 33 Kan. 366, 1630
v. McClurg, 59 Fed. R. 860, 1156
v. McGinnis, 46 Kan. 109, 1801, 1808, 1816, 1817
v. Maggard, 6 Colo. App. 85, 627
v. Matthews, 174 U. S. 96, 665, 668, 1182, 1213
v. Mecklin, 23 Kan. 167, 921, 926
v. Midgett, 1 Kan. App. 138, 1295
v. Miller, 16 Neb. 661, 200, 1560, 1564
v. Miller, 39 Kan. 419, 1782
v. Moore, 29 Kan. 632, 1316, 1366
v. Moore, 31 Kan. 197, 1317, 1324
v. Morgan, 31 Kan. 77, 1155, 1206, 1310
v. Morris, 64 Kan. 411, 1179e
v. Mulligan, 67 Fed. R. 569, 1327
v. Myers, 63 Fed. 793, 1782
v. Napole, 55 Kan. 401, 1273, 1278
v. Nation, 92 S. W. 823, 1754, 1755
v. Parsons, 42 Ill. App. 93, 1252
v. Patch, 28 Kan. 470, 962, 1022, 1047
v. Penfold, 57 Kan. 148, 1279
v. People, 5 Colo. 60, 54, 644
v. Peterson, 58 Kans. 818, 785, 786
v. Phillips, 25 Kan. 261, 325, 329, 886
v. Plaskett, 47 Kans. 107, 1828
v. Plunkett, 25 Kan. 188, 1294, 1301
v. Poole, 87 Pac. 465, 1511, 1512
v. Potter, 64 Kan. 13, 1154
v. Pratt, 53 Ill. App. 263, 984, 999
v. Reecher, 24 Kan. 228, 222
v. Reesman, 60 Fed. 370, 1192, 1270, 1282, 1314
v. Riggs, 31 Kan. 622, 1221
v. Ringle, 71 Kan. 839, 1801
Atchison, &c., R. Co. v. Roach, 35 Kan. 740, 1658
v. Schneider, 127 Ill. 144, 1040
v. Schriver, 72 Kan. 550, 1536, 1710
v. Schroeder, 47 Kan. 315, 1296, 1304
v. Seeley, 54 Kan. 21, 1278, 1290, 1301, 1326
v. Shaft, 33 Kan. 521, 1193, 1194, 1195, 1198
v. Shaw (Kan.), 43 Pac. 1129, 1166
v. Shean, 18 Colo. 368, 1592, 1628
v. Spaulding, 69 Kan. 431, 631, 1252
v. Stanford, 12 Kan. 354, 1226, 1231, 1239, 1243a, 1244
v. Sumner Co. Comr., 51 Kan. 617, 325
v. Swarts, 58 Kan. 235, 1272
v. Temple, 47 Kan. 7, 1512, 1514
v. Thomas, 70 Kan. 409, 1733
v. Thul, 29 Kan. 466, 1699
v. Tindall, 57 Kan. 719, 1766
v. Todd, 54 Kan. 551, 1172, 1257
v. Townsend, 39 Kan. 115, 1167, 1170
v. Townsend, 71 Kan. 524, 1105, 1372
v. Vanderstrand, 67 Kan. 386, 1377
v. Vincent, 56 Kan. 444, 1355
v. Wagner, 33 Kan. 660, 1275, 1278, 1296
v. Walz, 40 Kan. 433, 1158
v. Washburn, 5 Neb. 117, 1454, 1545
v. Weaver, 10 Kan. 344, 1055
v. Weber, 33 Kan. 543, 1172, 1577, 1591, 1637, 1639
v. Wilkinson, 55 Kan. 83, 16891
v. Wilson, 66 Kan. 233, 1033
v. Wilson, 48 Fed. R. 57, 1378, 1378a
v. Winston (Kan.), 43 Pac. 777, 1273
v. Worley (Tex. Civ. App.), 25 S. W. 478, 623
v. Yates, 21 Kan. 613, 1184
v. Zeller, 54 Kan. 340, 222, 1388
Atchison, &c., Co. v. Betts, 10 Colo. 431, 1180, 1213
v. Parker, 55 Fed. R. 595, 218
Athenæum Soc., In re, 4 K. & J. 549, 485
Athenæum, &c., Society, Re, 3 DeG. & J. 660, 186
Athenæum, &c., Ins. Soc. v. Pooley, 3 DeG. & J. 294, 485
Athens v. Rucker, 80 Ga. 291, 1057d
Athol Music Hall Co. v. Carey, 116 Mass. 471, 102
Athol, &c., R. Co. v. Inhabitants of Prescott, 110 Mass. 213, 150
Atkins v. Albree, 94 Mass. 359, 307
v. Kansas, 191 U. S. 207, 1336
v. Petersburg Railroad Co., 3 Hughes, 307, 528
v. Shreveport, &c. R. Co., 106 La. Ann. 568, 373
v. Wabash, &c., R. Co., 29 Fed. R. 161, 169, 554, 555, 561, 586, 623
Atkinson v. Atlantic, &c., R. Co., 63 Mo. 367, 1239
v. Bemis, 11 N. H. 44, 16
v. Brooks, 26 Vt. 569, 1541
v. Chicago, &c., R. Co., 119 Wis. 176, 1209
v. Goodrich Transportation Co., 60 Wis. 141, 1584

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Atkinson v. Marietta, &c., R. Co., 15 Ohio St. 21, 15, 37, 67, 71, 72 488, 525, 531, 930, 957, 958, 1029
v. Newcastle, &c., Co., L. R. 2 Exch. Div. 441, 1367
v. Pocock, 1 Exch. 796, 131
v. Ritchie, 10 East, 530, 1461
v. Walton, 162 Pa. St. 219, 505
Atkinson, &c., R. Co. v. Board, &c., 51 Kan. 617, 166
Atkyn v. Wabash R. Co., 41 Fed. 193, 1267a
Atlanta v. Central R. Co., 53 Ga. 120, 965, 966, 980, 987, 1012
v. Gate City, &c. Co., 71 Ga. 106, 17
v. Grant, &c., Co., 57 Ga. 340, 520
v. Smith, 94 Ga. 107, 1689l
Atlanta Consol., &c., Co. v. Bates, 103 Ga. 333, 1096cs, 1096dc, 1096de, 1831
v. Foster, 108 Ga. 223, 1096ce
v. Keeny, 99 Ga. 266, 1837
Atlanta R. Co. v. Randall, 117 Ga. 165, 1096cy
v. Tanner, 68 Ga. 384, 1366
Atlanta St. R. Co. v. Walker, 93 Ga. 462, 1092
Atlanta, &c., R. Co., Re, 2 Interst. Com. R. 461, 1686
Atlanta, &c., R. Co. v. Atlanta, &c., R. Co., 125 Ga. 529, 996d, 1035a
v. Atlanta, &c., R. Co., 124 Ga. 125, 964
v. Barker, 105 Ga. 534, 949
v. Condor, 75 Ga. 51, 1638
v. Dickerson, 89 Ga. 455, 1628
v. Gardner, 122 Ga. 82, 1689c
v. Gravitt, 93 Ga. 369, 1257, 1262, 1264, 1367, 1368
v. Higdon, 111 Tenn. 121, 1057g
v. Hodnett, 36 Ga. 669, 13a, 127, 128
v. Hudson, 62 Ga. 679, 1184, 1218
v. Kimberly, 87 Ga. 161, 1063, 1064
v. Lovelace, 121 Ga. 487, 1850
v. Mangham & Prickett, 49 Ga. 266, 1059
v. Smith, 94 Ga. 107, 1283
v. Southern R. Co., 131 Fed. 657, 927, 986
v. Speer, 32 Ga. 550, 936
v. Texas G. Co., 81 Ga. 602, 364, 1435, 1483
v. Walker, 93 Ga. 462, 1689l
v. Wood, 48 Ga. 565, 1107
v. Wyly, 65 Ga. 120, 1155, 1158
Atlanta, &c., St. R. Co. v. Keeny, 99 Ga. 266, 1801
Atlanta, &c., Co. v. Atlanta, 66 Ga. 101, 750
Atlantic Ave. R. Co. v. Van Dyke, 72 Fed. 458, 1096cd
Atlantic Coast Line v. Crosby, 43 So. 318, 1782, 1788
Atlantic Coast Line R. Co. v. Bailey, 151 Fed. 891, 656a
v. Benedict Pineapple Co., 42 So. 529, 1241
v. Florida, 203 U. S. 256, 1662c
v. Powell, 56 S. E. 1006, 1758
v. Ryland, 50 Fla. 190, 1348
v. South Bound R. Co., 57 S. Car. 317, 1053
v. Watkins, 104 Va. 154, 1224, 1226
Atlantic City R. Co. v. Goodin, 62 N. J. L. 394, 1179a
Atlantic De Laine Co. v. Mason, 5 R. I. 463, 148, 164
Atlantic Dock Co. v. Leavitt, 50 Barb. 135, 416
Atlantic Dynamite Co. v. Andrews, 97 Mich. 466, 150
Atlantic Express Co. v. Wilmington, &c., R. Co., 111 N. C. 463, 675, 677, 678, 685, 695, 1394
Atlantic National Bank v. Railway Co., 106 Fed. 623, 1427, 1523
Atlantic Trust Co. v. Consolidated, &c., Co., 49 N. J. Eq. 402, 934, 543
v. Darlington, 63 Fed. R. 76, 814, 816, 847, 889
Atlantic, &c., R. Co. v. Allen, 15 Fla. 637, 330, 525, 746, 750
v. Andrews, 97 Mich. 466, 109
v. Bates, 103 Ga. 333, 1787, 1788
v. Beauchamp, 93 Ga. 6, 1813
v. Campbell, 4 Ohio St. 583, 1038
v. Cone, 43 So. 514, 335, 338
v. Cumberland County Comrs., 51 Me. 36, 1019
v. Delaware Const. Co., 98 Va. 503, 1062
v. Dexter, 50 Fla. 180, 1413, 1417, 1516, 1557, 1689l, 1702
v. Dunn, 19 Ohio St. 162, 1802
v. Fuller, 48 Ga. 423, 1048
v. Gardner, 122 Ga. 82, 1813
v. Georgia, 98 U. S. 359, 324, 330
v. Gravitt, 93 Ga. 369, 1257
v. Howard Supply Co., 125 Ga. 478, 1523, 1715, 1741
v. Hudson, 62 Ga. 679, 1218, 1735
v. Ironmonger, 95 Va. 625, 1822
v. Johnson, 56 S. E. 482, 334, 329
v. Johnson, 66 Ga. 259, 1793, 1800, 1813
v. Koblentz, 21 Ohio St. 334, 1006
v. Laird, 58 Fed. R. 760, 1395, 1694, 1713
v. Lesueur, 2 Ariz. 428, 5, 389, 415, 743b
v. McKnight, 125 Ga. 328, 1057a
v. Mingus, 34 Pac. 494, 802
v. Montezuma, 122 Ga. 1, 1076
v. Newton, 85 Ga. 517, 1808
v. North Carolina Corp. Com., 27 Sup. Ct. 585, 1662c, 1670b, 1685
v. Penny, 119 Ga. 479, 973
v. Philadelphia, 190 U. S. 160, 759, 767
v. Postal, &c., Tel. Co., 120 Ga. 268, 975c, 991, 996b, 1053a
v. Ray, 70 Ga. 674, 474
v. Reiger, 95 Va. 418, 1155, 1165, 1761
v. Reisner, 18 Kan. 458, 222
v. St. Louis, 66 Mo. 228, 20, 52, 252, 422, 923, 929, 930, 1076
v. Seaboard, &c., R. Co., 116 Ga. 412, 996a, 1049a
v. State, 42 Fla. 358, 1056b
v. Sullivant, 5 Ohio St. 276, 957, 1010
v. Texas, &c., Co., 81 Ga. 602, 1694, 1720, 1722, 1724
v. United States, 76 Fed. 186, 1684e
v. West, 121 Ga. 641, 1305
v. Wood, 48 Ga. 565, 1176
v. Yavapai County (Ariz.), 21 Pac. 768, 4
Atlantic, &c., Co. v. Benedict, &c., Co., 42 So. 529, 1689e
v. Burt, 49 Ga. 606, 1181
v. Dana, 128 Fed. 209, 580
v. Johnston, 70 N. C. 348, 244

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Atlantic, &c., Co. v. Lesueur, 1 L. R. A. 244, 2 Inter. Com. R. 189, 750
v. Sanders, 36 N. H. 252, 262, 263
Atlantic, &c., Tel. Co. v. Barnes, 64 N. Y. 385, 232
v. Chicago, &c., R. Co., 6 Biss. 158, 632, 977, 987
v. Commonwealth, 3 Brewst. (Pa.) 366, 321
v. Philadelphia, 190 U. S. 160, 735, 753, 1671
v. Union Pac. R. Co., 1 McCrary (U. S.) 541, 387
v. Union Pacific, &c., Co., 1 Fed. R. 745, 70, 369
v. Vigilancia, 73 Fed. R. 452, 211
Atlas Bank v. Brownell, 9 R. I. 168, 232
Atlas Nat. Bank v. Gardner, &c., Co., 8 Biss. 537, 244
Atlas Steamship Co. v. Colombian Land. Co., 102 Fed. 358, 1570
Attaway v. Southern R., 68 S. Car. 89, 1848
v. Third Nat. Bank, 93 Mo. 485, 274
Attleborough Bank v. Rogers, 125 Mass. 339, 369
Attorney-General, In re, 2 N. Y. Supp. 684, 47
Attorney-General, In re, 113 Wis. 623, 553
Attorney-General v. Albion, &c., Inst., 52 Wis. 469, 643
v. Bank of Columbia, 1 Paige 511, 544, 561
v. Bank of Niagara, Hopk. Ch. (N. Y.) 354, 538
v. Birmingham, &c., Co., 4 DeGex & S. 490, 376
v. Birmingham, &c., R. Co., 2 Eng. R. & Canal Cas. 124, 1684
v. Birmingham R. Co., 8 Eng. L. & Eq. 243, 51
v. Boston, 123 Mass. 460, 643
v. Boston, &c., R. Co., 160 Mass. 62, 1593, 1600, 1670a
v. Chicago, &c., Railroad Co., 35 Wis. 425, 376, 479, 631, 1564
v. Chicago, &c., R. Co., 112 Ill. 611, 6, 1396r
v. Chicago, &c., R. Co. 112 Ill. 520, 1090
v. Chicago, &c., R. Co., 121 Ill. 638, 1096j
v. Corp. of Leicester, 7 Beav. 176, 231
v. Coventry, 1 P. Wms. 306, 563
v. Delaware, &c., R. Co., 27 N. J. Eq. 631, 376, 479, 630
v. Eastern Counties R. Co., 3 Eng. Ry. & Canal Cas. 337, 376
v. Eastern R. Co., 137 Mass. 45, 931
v. Electric, &c., Co., 188 Mass. 239, 21
v. Ely, &c., R. Co., L. R. 4 Ch. App. 194, 974
v. Erie, &c., Ry. Co., 55 Mich. 15, 48, 920
v. Foote, 11 Wis. 14, 644
v. Forbes, 3 Mylne & C. 123, 376, 479
v. Ft. St. Union Depot Co., 117 Mich. 609, 1111
v. Germantown, &c., Road, 55 Pa. St. 466, 691
v. Great Eastern, &c., R. Co., L. R. 11 Ch. D. 449, 376, 393
v. Great Northern R. Co., 4 DeGex & S. 75, 376, 479, 631
Attorney-General v. Great Northern R. Co., 1 Dr. & S. 154, 374
v. Great Northern, &c., R. Co., 6 Jurist N. S. 1006, 393
v. Great Northern R., 29 L. J. Ch. 794, 1662c
v. Guardian, &c., Co., 77 N. Y. 272, 184, 564
v. Hamilton, 47 Ohio St. 52, 32
v. Hanchett, 42 Mich. 436, 18
v. Hunter, 1 Dev. Eq. (N. Car.) 12, 631
v. Johnson, Wilson's Ch. pt. 2, 87, 376, 479
v. Justices, &c., 103 Mass. 456, 666
v. Leaf, 9 Humph. (Tenn.) 753, 54
v. Lombard, &c., R. Co., 10 Phila. (Pa.) 352, 1090
v. Lorman, 59 Mich. 157, 18
v. Metropolitan R. Co., 125 Mass. 515, 630, 1088, 1096c
v. Middleton, 2 Ves. Sen. 327, 196
v. Mid. Kent. R. Co., L. R. 3 Ch. App. Cas. 100, 376, 479
v. Morris, &c., R. Co., 19 N. J. Eq. 386, 974
v. Old Colony R. Co., 160 Mass. 62, 672, 1096ah
v. Petersburg R. Co., 6 Ired. (N. C.) 456 48
v. Railroad Cos., 35 Wis. 425, 20
v. Ruggles, 59 Mich. 123, 806
v. Sheffield, &c., Co., 3 De Gex M. & G. 304, 376
v. Shepard, 62 N. H. 383, 161
v. Stevens, 1 N. J. Eq. 369, 54, 966
v. Sullivan, 163 Mass. 446 644
v. Superior, &c., R. Co., 93 Wis. 604, 51, 52, 608
v. Tomline, 12 L. R. Ch. Div. 214, 976
v. Toronto, &c., R. Co., 14 Grant Ch. (U. C.) 673, 1096aa
v. Tudor Ice Co., 104 Mass. 239, 54
v. Utica Ins. Co., 2 Johns. Ch. 371, 376, 54, 538, 551
v. West Wisconsin R. Co., 36 Wis. 466, 930
v. Wisconsin, &c., R. Co., 35 Wis. 599, 62
Attrill v. Patterson, 58 Md. 226, 1828
Atwater v. American, &c., Bank, 152. Ill. 605, 601
v. Delaware, &c., R. Co., 48 N. J. L. 55, 1593
Atwell v. Miller, 11 Md. 348, 1423
Atwood v. Chicago, &c., R. Co., 72 Fed. 447, 1267a
v. Merryweather, L. R. 5 Eq. 464, 165
v. Mohler, 108 Ill. App. 416, 1647
v. Rhode Island, &c., Bank, 1 R. I. 376, 184
v. Shenandoah Valley R. R. Co., 85 Va. 966, 26, 27, 484, 485, 513
Auburn v. Paul, 84 Me. 212, 782
Auburn Bolt & Nut Works v. Shultz, 143 Pa. St. 256, 102
Auburn, &c., Ass'n v. Hill, (Cal.) 45 Pac. R. 695, 102
v. Hill (Cal.), 32 Pac. Rep. 587, 102, 111
Auchincloss v. Metropolitan, &c., R. Co., 69 App. Div. (N. Y.) 63, 906e
Audenried v. Philadelphia, &c., R. Co., 68 Pa. St. 370, 1565
Auditor v. Crise, 20 Ark. 540, 1030

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Auerbach v. LeSueur Mill Co., 28 Minn. 291, 351
v. New York Central, &c., R. Co., 89 N. Y. 281, 1593, 1596, 1598
Aufdenberg v. St. Louis, &c., R. Co., 34 S. W. 485, 1628, 1643
Augerstein v. Jones, 139 Pa. St. 183, 1697
Augler v. East Tenn., &c., R. R. Co., 74 Ga. 634, 29
Augusta, The, 29 Fed. 334, 1521
Augusta v. Georgia, &c., Co., 98 Ga. 161, 966
v. Hafers, 61 Ga. 48, 1177
v. Maysville, &c., R. Co., 97 Ky. 145, 866, 874
v. Murphey, 79 Ga. 101, 782
v. Port Royal, &c., R. Co., 74 Ga. 658, 1056b
Augusta Bank v. Augusta, 49 Me. 507, 484, 814
Augusta Factory v. Barnes, 72 Ga. 217, 1689l
Augusta R. Co. v. Andrews, 89 Ga. 653, 1253
Augusta R., &c., Co. v. Weekly, 124 Ga. 384, 1689d, 1689g
Augusta, &c., R. Co. v. Augusta, 100 Ga. 701, 1096l
v. Augusta, &c., R. Co., 96 Ga. Ga. 562, 39
v. Glover, 92 Ga. 132, 1096cs, 1096cu, 1366a, 1367, 1368, 1378a, 1589a, 1828.
v. Kittel, 52 Fed. R. 63, 345, 348, 353, 372, 491, 1058
v. Randall, 85 Ga. 297, 1704, 1788
v. Renz, 55 Ga. 126, 717, 1177, 1630
v. Smith, 121 Ga. 29, 200a
v. Snider, 118 Ga. 146, 1630a
v. Wrightsville, &c., R. Co., 74 Fed. Rep. 522, 1673, 1682
Auld v. Butcher, 2 Kan. 135, 1007
Aultman's Appeal, 98 Pa. St. 505, 92, 189
Aurora v. Hillman, 90 Ill. 61, 1177
Aurora City v. West, 7 Wall. (U. S.) 82, 486
v. West, 9 Ind. 74, 818, 820, 950
v. West, 22 Ind. 88, 827, 882, 885
Aurora, &c., R. Co. v. Harvey, 178 Ill. 477, 1096bm
v. Lawrenceburg, 56 Ind. 80, 20, 957
v. Miller, 56 Ind. 88, 957
Aurora, &c., Society v. Paddock, 80 Ill. 263, 373, 424
Austin's Case, 24 L. T. (N. S.) 932, 154
Austin v. Augusta, &c., R. Co., 108 Ga. 671, 1a. 954, 978, 1086
v. Austin, 47 Vt. 311, 1062
v. Austin, &c., Co., 69 Tex. 180, 782
v. Boston, &c., R. Co., 164 Mass. 282, 1269
v. Cambridgeport Parish, 21 Pick. (Mass.) 215, 942
v. Cameron, 83 Tex. 351, 1371
v. Chicago, &c., R. Co., 93 Wis. 496, 1227
v. Chicago, &c., R. Co., 93 Ia. 236, 1796
v. Cluck, 97 Tex. 172, 1699
v. Daniels, 4 Denio, 299, 278
v. Gagan, 36 Fed. R. 626, 653, 708
v. Great Western R. Co., L. R. 2 Q. B. 442, 1578, 1581, 1610, 1650a
Austin v. Gulf, &c. R. Co., 45 Tex. 236, 880, 893a
v. Manchester, &c., R. Co., 10 C. B. 454, 1627
v. Manchester, &c., R. Co., 16 Q. B. 600, 1551
v. Metropolitan St. R. Co., 95 N. Y. S. 740, 1096bv
v. Piedmont, &c., Co., 67 S. Car. 122, 1377
v. Rutland, &c., R. Co., 45 Vt. 215, 1295, 1003, 1025
v. Seattle, 21 Wash. St. 667, 892
v. Talk, 20 Tex. 164, 1420
v. Tecumseh Nat. Bank, 59 Am. St. 551, 338
Austin Rapid Transit Co. v. Groethe (Texas Civ. App.), 31 S. W. 197, 668
Austin, &c., R. Co. v. Beatty, 73 Tex. 592, 1642
v. Daniels, 62 Tex. 70, 1073
v. McElmurray (Tex. Civ. App.), 25 S. W. 324, 1156
Autenreith v. St. Louis, &c., R. Co., 36 Mo. App. 254, 1049e
Averill v. Barber, 6 N. Y. Supp. 255, 275
v. Tucker, 2 Cranch C. C. (U. S.) 544, 626
Avery v. New York, &c., R. Co., 106 N. Y. 142, 945
v. Nordyke, 34 Ind. App. 541, 1288
v. Southern R. Co., 137 N. Car. 130, 1342
v. Stewart, 2 Conn. 69, 1530
Avey v. Galveston, &c., R. Co., 81 Tex. 243, 1261
Avinger v. South Carolina R. Co., 29 S. Car. 265, 1393, 1465, 1467, 1468, 1676, 1702, 1707, 1729, 1742
Axline v. Toledo, &c., R. Co., 138 Fed. 169, 647
Axtell v. Northern Pacific R. Co., 9 Idaho, 392, 217
Ayars v. Camden, &c., R. Co., 63 N. J L. 416, 1096cn, 1264
Aycock v. Raleigh, &c., R. Co., 89 N. C. 321, 473
v. San Antonio Brewing Co., 26 Tex. Civ. App. 341, 1096bt
Aycrigg's Exec. v. New York, &c., R. Co., 30 N. J. L. 460, 1702
Ayer, &c., Co. v. Kentucky, 202 U. S. 409, 755
Ayer v. Norwich, 39 Conn. 376, 1264
Ayers, In re, 123 U. S. 443, 700, 806
Ayers v. Chicago, &c., R. Co., 111 Ill. 406, 1689f
v. Wabash R. Co., 190 Mo. 228, 1257
v. Western Railroad Corp., 14 Blatchf. 9, 1443
Ayles v. Southeastern R. Co., L. R. 3 Exch. 146, 1701
v. Southern R. Co., 88 S. W. 1048, 650a
Aylesworth v. Chicago, &c., R. Co., 30 Iowa, 459, 1185
Ayre's Case, 25 Beav. 513, 132
Ayres v. Chicago, 101 U. S. 184, 647
v. Chicago, &c., R. Co., 52 Iowa, 478, 1058
v. Chicago, &c., R. Co., 71 Wis. 372, 1401, 1454, 1470, 1471, 1476, 1477, 1478, 1545, 1547, 1551, 1555, 1678, 1691.
v. Chicago, &c., R. Co., 75 Wis. 215, 1730
v. Siebel, 82 Iowa, 347, 30

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ayres v. Richards, 33 Mich. 214, 1019, 1020
Ayres v. Watson, 113 U. S. 594, 655, 655a
v. Wiswall, 112 U. S. 187, 650, 655
Ayr Harbor, &c., v. Glasgow R. Co., 4 R. & Canal Traf. Cas. 81, 1667
Axelrod v. New York City R. Co., 109 App. Div. (N. Y.) 87, 1689g

B

Babb v. Oxford Paper Co., 99 Me. 298, 1783
Babcock v. Bonnell, 80 N. Y. 244, 1539
v. Chicago, &c., R. Co., 62 Iowa, 593, 1242, 1243a, 1245a
v. Chicago, &c., R. Co., 72 Iowa, 197, 1241
v. Fitchburg R. Co., 10 N. Y. Supp. 774, 1247
v. Fitchburg R. Co., 140 N. Y. 308, 1696, 1702
v. Helena, 34 Ark. 499, 842
v. Lake, &c., R. Co., 49 N. Y. 491, 1424
v. Old Colony Railroad Co., 150 Mass. 467, 1269, 1318
v. People's Bank, 118 Ind. 212, 303
v. Western, &c., Corp., 9 Metc. (Mass.) 553. 418
Baber v. Southern R. Co., 56 S. E. 540, 656a
Bachant v. Boston, &c., R. Co., 187 Mass. 392, 1248, 1519, 1522, 1527a, 1695
Bacharach v. Chester Freight Line, 133 Pa. St. 414, 1570, 1692
Bacheler v. New Hampton, 60 N. H. 207, 1047
Bachler's Appeal, 90 Pa. St. 207, 950
Backenstoe v. Wabash, &c., R. Co., 86 Mo. 492, 1215
Backhouse v. Bonomi, 1 Best & Smith R. 970, 1057b
v. Sneed, 1 Murph. (N. Car.) 173, 1457
Backhause v. Railway Co., 92 Wis. 393, 1464, 1527
Backus v. Lebanon, 11 N. H. 19, 951, 964
Bacon v. Horne, 123 Pa. St. 452, 555
v. Mississippi, &c., Co., 31 Miss. 116, 283
v. Rives, 106 U. S. 99, 647
v. Robertson, 6 Wall. (U. S.) 277, 613
Bacot, Ex parte, 36 S. Car. 125, 4, 961
Baddely v. Earl Granville, L. R. 19 Q. B. D. 423, 1345
Badger v. American, &c., Co., 103 Mass. 244, 204
v. United States, 93 U. S. 599, 680
Bagaley v. Pittsburgh & L. S. Iron Co., 146 Pa. St. 478, 272
Bagby v. Atlantic, &c., R. Co., 86 Pa. St. 291, 555, 570
Bagg v. Wilmington, &c., R. Co., 109 N. Car. 279, 1439, 1669, 1670
Baggett v. Baltimore, &c., R. Co., 3 App. Cas. (D. C.) 522, 1594
Baggneski v. Mills, 78 N. E. 852, 1346
Bagley v. Cleveland, &c., R. Co., 21 Fed. R. 159, 1702
v. Murphy, 99 Ill. App. 126, 1831
Baglor v. Baltimore, &c., R. Co., 9 W. Va. 270, 1205
Bagnall v. Carlton, L. R. 6 Ch. Div. 371, 16, 11
Bagnell Timber Co. v. Missouri, &c., R. Co., 180 Mo. 420, 1074, 1074a, 1068
Bags of Linseed, 1 Black (U. S.) 108, 1572
Bagshaw v. Eastern R. Co., 7 Hare 114, 166, 371, 372, 374, 493, 634
Baguall v. Carlton, 6 Ch. D. 371, 10
Bahr v. Lombard, 53 N. J. Law, 233, 1299, 1309
v. Northern Pac. R. Co., 112 N. W. 267, 1807, 1816
Bailey v. Atlantic, &c., Co., 3 Dill. 22, 742
v. Bancker, 3 Hill (N. Y.), 188, 180
v. Birkenhead, &c., R. Co., 12 Beav. 433, 137, 343
v. Boston, &c., Corp., 182 Mass. 537, 995, 996, 1001a
v. Chicago, &c., R. Co., 4 Biss. (U. S.) 480, 1378a
v. Chicago, &c., R. Co., 3 S. Dak. 531, 1239
v. County of Buchanan, 115 N. Y. 297, 486
v. Hannibal, &c., R. Co., 1 Dill. (U. S.) 174, 83, 84
v. Hollister, 26 N. Y. 112, 62, 252
v. Hudson River Railroad, 49 N. Y. 70, 1426, 1431, 1536
v. Macaulay, 13 Q. B. 815, 13
v. Market St. R. Co., 110 Cal. 320, 1096aq, 1096cj
v. Mosher, 11 C. C. A. 304, 282
v. New Haven, &c., R. Co., 107 Mass. 496, 1157, 1161, 1162
v. New Orleans, 19 La. Ann. 271, 1048
v. Philadelphia, &c., R. Co., 4 Harr. (Del.) 389, 665, 1012, 1057c
v. Quint, 22 Vt. 474, 1572
v. Railroad Co., 22 Wall. (U. S.) 604, 157, 305, 319
v. Railroad Co., 1 Dill. (U. S.) 174, 83
v. Rome, &c., R. Co., 139 N. Y. 302, 1278, 1288
v. Snyder, 13 Sergt. & R. 160, 421
v. Tacoma Trac. Co., 16 Wash. 48, 1096cz
v. Troy, &c., R. Co., 57 Vt. 252, 1063
v. Valley, &c., Bank, 127 Ill. 332, 616
v. Woburn, 126 Mass. 416, 1004
Baily v. Atlantic, &c., Co., 1 Cent. L. J. 502, 752
Bain v. Richmond, &c., Co., 105 N. Car. 363, 755
v. Seaboard, &c., R. Co., 52 Fed. 450, 768
Bainbridge v. Smith, L. R. 41 Ch. Div. 462, 241
Baird v. Bank of Washington, 11 S. & R. 411, 246
v. Georgia, &c., R. Co., 19 So. 661, 1215
v. Petit, 70 Pa. St. 477, 215, 1303
v. St. Louis, I. M. & S. R. Co., 7 R. R. & Corp. L. J. 516, 1420
v. St. Louis, &c., Co., 41 Fed. R. 592, 764
v. Shipman, 132 Ill. 16, 213
v. Underwood, 74 Ill. 176, 594
Bajus v. Syracuse, &c., R. Co., 103 N. Y. 312, 1310
Baker's Case, L. R. Chan. 115, 107
Baker's Appeal, 109 Pa. St. 461, 160, 252
Baker v. Atchison, &c., R. Co., 122 Mo. 396, 1025

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Baker v. Backus, 32 Ill. 79, 52, 537, 538, 556, 561, 609
v. Baker, 36 App. Div. (N. Y.) 485, 586
v. Barello, 136 Cal. 160, 1820
v. Bolton, 1 Camp. 493, 1359
v. Boston Elevated R. Co., 183 Mass. 178, 996e
v. Boston, &c., R. Co., 65 Atl. 386, 1474, 1662c
v. Brinson, 9 Rich (S. C.), 201, 1716
v. Bryan, 64 Ia. 561, 1060a
v. Chicago, &c., R. Co., 57 Mo. 265, 942, 949
v. Chicago, &c., R. Co., 91 Minn. 118, 303
v. Chicago, &c., R. Co., 95 Ia. 163, 1251, 1303, 1314
v. Clark, 99 Fed. 911, 1641
v. Cooper, 57 Me. 388, 568
v. Cotter, 45 Me. 236, 286
v. Duwamish Mill Co., 149 Fed. 612, 656a
v. Flint, &c., R. Co., 68 Mich. 90, 1155, 1172, 1261
v. Gee, 1 Wall. (U. S.) 333, 927
v. Guarantee, &c., Co. (N. J.) 31 Atl. 174, 484, 485, 497
v. Harpster, 42 Kan. 511, 290, 604
v. Kansas City, &c., R. Co., 122 Mo. 533, 1166
v. Long Island R. Co., 1 How. (N. Y.) Pr. 214, 1055
v. Louisiana, &c., R. R. Co., 34 La. Ann. 754, 601
v. Louisville, &c., R. R. Co., 10 Lea (Tenn.), 304, 1545, 1555
v. Madison, 62 Wis. 137, 1704
v. Marshall, 15 Minn. 177, 98
v. Michigan, &c., R. Co., 42 Ill. 73, 1692
v. Missouri R. R. Co., 34 Mo. App. 98, 1438
v. Neff, 73 Ind. 68, 190
v. New York R. Co., 28 App. Div. (N. Y.) 316, 1589, 1636
v. New York, 31 App. Div. (N. Y.) 112, 1003b
v. Northwestern, &c., Co., 36 Minn. 185, 369
v. Pendergast, 32 Ohio St. 494, 711, 1155
v. Philadelphia, &c., R. Co., 149 Fed. 882, 1320, 1374
v. Railroad Co., 10 Lea, 312, 1401
v. Tacoma, &c., R. Co., 87 Pac. 826, 1170
v. Tibbetts, 162 Mass. 468, 210
v. Wasson, 53 Tex. 150, 626
v. Woolston, 27 Kan. 185, 78, 155
Balch v. Beach, 119 Wis. 77, 895
Bald Eagle, &c., R. Co. v. Nittany Val. R. Co., 171 Pa. St. 284, 946
Balderston v. Manso, 2 Cranch (C. C.) 623, 1538
Baldwin v. American Ex. Co., 23 Ill. 197, 1401, 1522
v. Bangor, 36 Me. 518, 343
v. Canfield, 26 Minn. 43, 79, 98, 167, 237, 262
v. Chicago, &c., R. Co., 50 Iowa, 680, 1279
v. Chicago, &c., R. Co., 10 Bush, (Ky.) 382, 1048
v. Chicago, &c., R. Co., 86 Fed. 167, 26, 28
v. Franks, 120 U. S. 678, 1358e
v. Grand Trunk R. Co., 64 N. H. 596, 1637, 1704
v. Great Northern R. Co., 81 Minn. 247, 1461, 1538
Baldwin v. Heraty, 136 Mich. 15, 1096cp
v. Hillsborough, &c., R. Co., 1 Ohio Dec. 532, 919
v. Hosmer, 101 Mich. 432, 555
v. Kouns, 81 Ala. 272, 724
v. Lincoln County, 29 Wash. 509, 1820
v. Liverpool, &c., S. Co., 74 N. Y. 125, 1421, 1560, 1563
v. Mississippi, &c., R. Co., 5 Iowa, 518, 24
v. St. Louis, &c., R. Co., 75 Ia. 297, 1322
v. Webb, 121 Ga. 416, 1798
v. Western R. Co., 4 Gray (Mass.), 333, 1696, 1773, 1793
Baldwin and Snowden Road, 3 Grant's (Pa.) Cas. 62, 1043
Balfour v. Louisville, &c., R. Co., 62 Miss. 508, 987
Ball, The Daniel, 10 Wall, 557, 1663, 1673
Ball v. Grand Trunk, &c., R. Co., 16 U. C. C. P. 252, 1229
v. Keokuk, &c., R. Co., 71 Ia. 306, 1035a
v. Liney, 48 N. Y. 34, 1525
v. Mobile, &c., Co., 39 So. 584, 1578
v. New Jersey Steamboat Co., 1 Daly (N. Y.), 491, 1653
v. Presidio Co., 88 Tex. 60, 896
v. Wabash, &c., R. Co., 83 Mo. 574, 364, 1505, 1511
Ballard v. Ballard Vale Co., 5 Gray (Mass.), 468, 1025
v. Hitchcock, &c., Co., 71 Hun, 582, 1323, 1327
v. Louisville, &c., N. R. Co. (Ky.), 5 S. W. 484, 938
v. Thomas, 19 Gratt. 14, 858
Ballentine v. North Missouri, &c., R. Co., 40 Mo. 491, 1455, 1468, 1484, 1547, 1551, 1555
Ballin v. Ferst, 55 Ga. 546, 548
Ballou v. Chicago, &c., R. Co., 54 Wis. 257, 1279
v. Earle, 17 R. I. 441, 1503, 1510
v. Farnum, 91 Mass. 47, 573, 1247c
v. Hale, 47 N. H. 347, 934
Balsey v. St. Louis, &c., R. Co., 119 Ill. 68, 431, 467, 1237
Baltimore v. Baltimore, &c., R. Co., 84 Md. 1, 1096a
v. Baltimore, &c., Co., 6 Gill, 288, 38, 329, 750
v. Black, 56 Md. 333, 1031, 1032
v. Calumet, 23 Md. 449, 952
v. Greenmount Cemetery, 7 Md. 517, 781, 782, 950
v. Pittsburgh, &c., R. Co., 2 Abb. U. S. 9, 54, 56, 57
v. Postal Tel. Co., 62 Fed. R. 500, 648
v. Scharf, 54 Md. 499, 1092, 1096am
v. The Baltimore, &c., R. Co., 21 Md. 50, 2, 38, 95, 107, 323, 340, 751
v. Warren, &c., Co., 59 Me. 96, 1049
Baltimore Belt R. Co. v. Sattler, 100 Md. 306, 976, 995, 1005
Baltimore Cemetery Co. v. Coburn, 7 Md. 202, 1060
Baltimore City R. Co. v. Kemp, 61 Md. 74, 1822
Baltimore City, &c., R. Co. v. Baer, 90 Md. 97, 1096cy
v. Sewell, 35 Md. 238, 304
Baltimore City, &c., Co. v. McDonnell, 43 Md. 534, 1096cf
v. Wilkinson, 30 Md. 224, 1096cz

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Baltimore Consol. R. Co. v. Rifcowitz, 89 Md. 338, 1096ce, 1096cj
Baltimore R. Co. v. Smith, 23 Md. 402, 1647, 1658, 1660
Baltimore & S. R. Co. v. Woodruff, 4 Md. 242, 1224, 1244
Baltimore Trac. Co. v. Appel, 80 Md. 603, 1096ch
v. Wallace, 77 Md. 435, 1096cb, 1096ce, 1096ci, 1096cq
Baltimore, &c., R. Co.'s Appeal (Pa.), 10 W. N. C. 530, 1122
Baltimore, &c., R. Co. v. Adams Ex. Co., 22 Fed. R. 32, 1451
v Algire, 65 Md. 337, 949, 1055
v. Algire, 63 Md. 319, 949, 1048
v. Allen, 22 Fed. R. 376, 31, 743b
v. Allen (W. Va.), 52 S. E. 465, 29
v. Alsop, 176 Ill. 471, 1792
v. Amos, 20 Ind. App. 378, 1278a, 1288
v. Andrews, 50 Fed. R. 728, 1276, 1316
v. Bahrs, 28 Md. 647, 1286, 1308
v. Baldwin, 144 Fed. 53, 1366a
v. Baltzell, 75 Md. 94, 1023
v. Bambrey, 16 Atl. 67, 1823
v. Bangio, 149 U. S. 368, 1317
v. Barger, 80 Md. 23, 1638
v. Baugh, 149 U. S. 368, 1273, 1276, 1298, 1303, 1316, 1317, 1663
v. Blocher, 27 Md. 277, 200, 1637, 1638, 1799, 1801, 1802
v. Board of Com'rs, &c., 156 Ind. 260, 966
v. Boteler, 38 Md. 568, 1252
v. Bouvier, 62 Atl. 868, 984, 998
v. Boyd, 63 Md. 325, 1055
v. Bradford, 20 Ind. App. 348, 1190, 1261
v. Brady, 32 Md. 333, 1417, 1457, 1501, 1502, 1504, 1516
v. Breinig, 25 Md. 378, 1096ck, 1263
v. Brown, 146 Fed. 24, 1276
v. Butler Pass. R. Co., 207 Pa. St. 406, 149, 150, 1122
v. Camp, 65 Fed. R. 952, 1281, 1322, 1328, 1796
v. Camp, 81 Fed. 807, 1796, 1807
v. Campbell, 36 Ohio St. 647, 1435, 1501, 1593, 1658, 1661
v. Campbell, 109 Ill. App. 25, 1142
v. Cannon, 72 Md. 493, 612
v. Canton Co., 70 Md. 405, 1044
v. Carr, 71 Md. 135, 1574
v. Cary, 28 Ohio St. 208, 26, 29, 649
v. Chambers (Md.), 32 Atl. R. 201, 1590
v. Chambers, 76 N. E. 91, 1366
v. Chase, 43 Md. 23, 977
v. Colvin, 118 Pa. St. 230, 1171, 1344
v. Compton, 2 Gill, 20, 662, 1004
v. Conoyer, 149 Ind. 524, 1158
v. Countryman, 16 Ind. App. 139, 1239
v. County of Jefferson, 29 Fed. R. 305, 821
v. Cumberland, 176 U. S. 232, 1202, 1252
v. Davis, 12 Atl. 335, 1539a
v. Dist. of Columbia, 3 McArthur, 122, 38
v. Dorsey, 37 Md. 19, 1242
v. Doyle, 142 Fed. 669, 1501
v. Elliott, 9 App. (D. C.) 341, 1314
v. Faith, 71 Ill. App. 59, 1179e
v. Faith, 175 Ill. 58, 1792
Baltimore, &c., R. Co., v. Faunce, 6 Gill (Md.), 68, 1564
v. Fifth Baptist Church, 108 U. S. 317, 718, 954, 1007, 1056a, 1056j, 1657, 1085
v. Fifth Baptist Church, 137 U. S. 568, 20
v. Fitzpatrick, 35 Md. 32, 1169
v. Ford, 35 Fed. R. 170, 655
v. Fox, 113 Ill. App. 180, 1727
v. Friel, 77 Fed. 126, 1096ck
v. Gallahue, 12 Gratt. (Va.) 655, 26, 615, 624, 625
v. Glenn, 28 Md. 287, 22, 27, 599
v. Golway, 23 Wash. L. Rep. 308, 1158
v. Golway, 6 App. Cas. (D. C.) 143, 1155
v. Green, 25 Md. 72, 1518
v. Griffith, 159 U. S. 603, 1165
v. Hambleton, 77 Md. 341, 155
v. Harbin, 160 Ind. 441, 1589
v. Harris, 12 Wall. (U. S.) 65, 26, 956
v. Henderson, 31 Ind. App. 441, 1310
v. Henthorne, 73 Fed. 634, 1284, 1292, 1788, 1796
v. Hubbard, 72 Ohio St. 302, 1510
v. Hudson, 117 Ky. 995, 1597, 1599a
v. Humphrey, 59 Md. 390, 1525
v. Hunsucker, 33 Ind. App. 27, 1302, 1766
v. Jackson, 33 Alb. L. J. 239, 233
v. Johnson, 84 Ind. 420, 1050, 1051, 1052
v. Johnson, 59 Ind. 247, 1038
v. Jolly Bros., 71 Ohio St. 92, 1059
v. Kane, 69 Md. 11, 1627a, 1628, 1643, 1701
v. Kean, 65 Md. 394, 1175
v. Keck, 89 Ill. App. 72, 1146
v. Keedy, 75 Md. 320, 1457, 1486, 1748
v. Kirby, 88 Md. 409, 1837
v. Kleespies, 76 N. E. 1015, 1132
v. Koontz, 104 U. S. 5, 29, 649, 654
v. Koontz, 77 Va. 698, 741
v. Laffertys, 14 Gratt. 478, 1059
v. Landrigan, 191 U. S. 461, 1157, 1163, 1179b, 1701
v. Lansing, 52 Ind. 229, 995, 996, 1139
v. Leapley, 65 Md. 571, 1628
v. Leathers, 12 Ind. App. 544, 1296a
v. Lee, 75 Md. 596, 629
v. Little, 149 Ind. 167, 1334, 1356
v. Louisiana, &c., R. Co., 39 La. Ann. 659, 1014
v. McClellan, 69 Ohio St. 142, 1170
v. McCutchen, 13 Pa. St. 13, 398
v. McDonnell, 43 Md. 534, 711, 1094, 1095, 1096cb, 1096ce, 1261, 1637
v. McKenzie, 81 Va. 71, 1701
v. McLaughlin, 73 Fed. R. 519, 23, 1507
v. Mackey, 157 U. S. 72, 1279, 1288, 1378, 1378a
v. Magruder, 34 Md. 79, 960, 976, 1004, 1005
v. Mall, 66 Md. 53, 1082, 1095
v. Marshall Co., 3 W. Va. 319, 52
v. May, 25 Ohio St. 347, 627
v. Mayor, 89 Md. 89, 748
v. Morehead, 5 W. Va. 293, 1694, 1718

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Baltimore, &c., R. Co. v. Mullen, 217 Ill. 203, 1628, 1642, 1643
v. Mulligan, 45 Md. 486, 1204, 1209
v. Musgrave, 24 Ind. App. 295, 1761
v. Musselman, 2 Grant's Cas. 348, 338
v. Myers, 62 Fed. R. 367, 1630
v. Neal, 65 Md. 438, 1284
v. Nesbit, 10 How. (U. S.) 395, 1033, 1053
v. New Albany, &c., R. Co., 53 Ind. 597, 654
v. North, 103 Ind. 486, 41, 632, 964, 966, 1020
v. Northern, &c., R. Co., 15 Md. 193, 1054
v. Norris, 17 Ind. App. 189, 1578a, 1637, 1760
v. Nugent, 86 Md. 349, 1096cm, 1831
v. Owings, 65 Md. 502, 1153, 1156
v. Parrette, 55 Fed. 50, 1046a
v. Paul, 40 N. E. 519, 466, 472
v. Peterson, 156 Ind. 364, 1158, 1298a, 1315c
v. Pittsburgh, &c., R. Co., 55 Fed. R. 701, 360
v. Pittsburgh, &c., R. Co., 17 W. Va. 812, 922, 950, 952, 953, 954, 956, 964, 966, 970, 974, 995, 1017, 1019, 1020, 1021, 1028, 1035, 1053
v. Polly, 14 Gratt. (Va.) 447, 1059
v. Pumphrey, 74 Md. 86, 815, 852, 870
v. Pumphrey, 59 Md. 390, 1693, 1741
v. Quillen, 34 Ind. App. 330, 1057, 1057g
v. Ragsdale, 14 Ind. App. 406, 1438, 1454, 1510, 1714
v. Rambo, 59 Fed. 75, 1689i
v. Rartbone, 1 W. Va. 87, 1425
v. Reaney, 42 Md. 117, 963, 1005, 1057, 1799
v. Reed, 158 Ind. 25, 665, 1336
v. Resley, 7 Md. 297, 1058
v. Reynolds, 33 Ind. App. 219, 1155, 1160, 1179b
v. Rifcowitz, 89 Md. 593, 1096cq
v. Roberts, 161 Ind. 1, 1269
v. Rodgers, 150 Ind. 397, 1264
v. Rose, 65 Md. 485, 1256
v. Ross, 105 Ill. App. 54, 1714
v. Rowan, 104 Ind. 88, 1271, 1770
v. Scholes, 14 Ind. App. 524, 1059
v. Schultz, 43 Ohio St. 270, 1185, 1218
v. Schumacher, 29 Md. 173, 1435
v. Schwindling, 101 Pa. St. 258, 33, 1256, 1259
v. Sherman, 30 Gratt. (Va.) 602, 616, 1093, 1154, 1250, 1374
v. Shipley, 39 Md. 251, 1231, 1232, 1243, 1245
v. Sims, 28 Ind. App. 544, 1633
v. Slaughter, 79 N. E. 186, 1154, 1252
v. Spaulding, 21 Ind. App. 323, 1288, 1307, 1829
v. Spring, 80 Md. 510, 877
v. State, 33 Md. 542, 1292, 1303
v. State, 54 Md. 648, 1286, 1308
v. State, 81 Md. 371, 1368, 1689l, 1788
v. State, 75 Md. 526, 1271
v. State, 72 Md. 36, 1578a, 1631
v. State, 60 Md. 449, 1578, 1585, 1628
v. State, 63 Md. 135, 1628
Baltimore, &c., R. Co. v. State, 45 Md. 596, 32
v. State, 79 Md. 335, 1178
v. State, 36 Md. 519, 107
v. State, 29 Md. 252, 1153, 1156, 1158, 1374
v. State, 62 Md. 479, 1154, 1248, 1250, 1257
v. State, 75 Md. 152, 1301a
v. State, 159 Ind. 510, 1102, 1107, 1111
v. State, 71 Md. 590, 1689f
v. Stoner, 59 Ind. 247, 1038
v. Strauss, 37 Md. 237, 1096
v. Stricker, 51 Md. 47, 1271, 1298, 1304, 1702
v. Sulphur Springs School Dist., 95 Pa. St. 65, 1057d
v. Swann, 81 Md. 400, 1631, 1644
v. Talmage, 15 Ind. App. 203, 1166, 1179j
v. Then, 159 Ill. 135, 1372, 1378
v. Thomas, 60 Ind. 117, 1207, 1264
v. Thompson, 10 Md. 76, 1003, 1023, 1025, 1038, 1049
v. Trainor, 33 Md. 542, 1800
v. Tripp, 165 Ill. 251, 1243a
v. Union R. Co., 35 Md. 224, 394, 922, 923, 950, 968, 1098
v. Voigt, 176 U. S. 498, 1236, 1320, 1378c, 1394, 1398, 1578a, 1625a, 1645
v. Wabash R. Co., 31 Ind. App. 201, 1117
v. Walhorn, 127 Ind. 142, 1153, 1164
v. Walker, 45 Ohio St. 577, 1114d, 1119, 1128, 1129, 1134
v. Welsh, 17 Ind. App. 505, 1296
v. Wheeler, 18 Md. 372, 625
v. Wheeling, 13 Gratt. (Va.) 40, 634
v. Whitacre, 35 Ohio St. 627, 1114
v. Whitehill, 64 Atl. 1033, 1555, 1746
v. Wicomico Co., 63 Atl. 678, 746, 748
v. Wicomico Co., 93 Md. 113, 743b
v. Wilkens, 44 Md. 11, 303, 1415, 1416, 1419, 1426, 1428, 1445
v. Wilson, 31 Ohio St. 55, 1694
v. Woodruff, 4 Md. 242, 1243a
v. Worman, 40 N. E. 751, 648
v. Wrightman, 29 Gratt. (Va.) 431, 1378b
v. Young, 153 Ind. 163, 1762, 1850
v. Young, 146 Ind. 374, 711, 1155, 1485, 1689c, 1689f, 1689g, 1708, 1715, 1730, 1731, 1741, 1757, 1761
v. Worthington, 21 Md. 275, 1842
Baltimore, &c., Road v. Cason, 72 Md. 377, 200a, 1096cz
Baltimore, &c., Co. v. Christie, 5 W. Va. 325, 219
v. Lamborn, 12 Md. 257, 1180
v. McClellan, 59 Ind. 440, 1181
v. Mayor of Baltimore, 64 Fed. R. 153, 1079
v. Morgan's Louisiana, &c., Co., 37 La. Ann. 883, 1029
v. Noell, 32 Gratt. (Va.) 394, 23, 26, 1586
v. State, 71 Md. 573, 1689g
v. Wightman, 29 Gratt. (Va.) 431, 23, 26, 649, 1378, 1644
Baltimore, &c., Express Co. v. Cooper, 66 Miss. 558, 1512

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Baltimore, &c., Steamboat Co. v. Brown, 54 Pa. St. 77, 303, 1423, 1434, 1503
Baltimore, &c., Tel. Co. v. Morgan's Louisiana, &c., R. Co., 37 La. Ann. 883, 968
Baltimore, &c., Trac. Co. v. Wallace, 77 Md. 435, 1096ce
Baltimore, &c., Trans. Co. v. Un. R. Co., 35 Md. 224, 974
Baltimore, &c., Turnp. v. Baltimore, &c., R. Co., 81 Md. 247, 964
Baltzen v. Nicolay, 53 N. Y. 467, 92
Baltzer v. Chicago, &c., R. Co., 83 Wis. 459, 1173
v. Chicago, &c., R. Co., 89 Wis. 257, 1827
v. Raleigh, &c., R. Co., 115 U. S. 634, 1061, 1070
v. State, 104 N. Car. 265, 700
Baly v. St. Paul City R. Co., 90 Minn. 39, 1096cj
Bamberg v. Atlantic Coast Line R. Co. 72 S. Car. 389, 1761
v. South Carolina R. Co., 9 S. Car. 61, 1545, 1546, 1558
Bamberger v. Citizens' St. R. Co., 95 Tenn. 18, 1096cl, 1262
Bancroft v. Boston, &c., R. Co., 11 Allen, 34, 1363
v. Boston, &c., R. Co., 97 Mass. 275, 1248, 1363, 1628
v. Boston, &c., R. Co., 67 N. H. 466, 1300
v. Merchant's, &c., Co., 47 Iowa, 262, 1446, 1449
v. Peters, 4 Mich. 619, 1422
v. Wilmington, &c., Academy, 5 Houst. (Del.) 577, 204
Banet v. Alton, &c., R., Co., 13 Ill. 504, 45, 135, 250
Bangor v. Smith, 83 Me. 422, 658, 689
Bangor, &c., R. Co. v. McComb, 60 Me. 290, 987, 992, 993, 995, 996, 1006
v. Smith, 47 Me. 34, 17, 60, 227, 392, 417, 1099
Bangor, &c., Co. Re, L. R. 20 Eq. 59, 85
Bangs v. Lewiston, &c., R. Co., 89 Me. 194, 1096cc
v. McIntosh, 23 Barb. 591, 73, 538
Banigan v. Bard, 134 U. S. 291, 82
Bank v. Butchers', &c., Bank, 107 Mo. 133, 146
v. Cooper, 24 Am. Dec. 537, 951
v. Cummings, 89 Tenn. 609, 1429a
v. Durfee, 118 Mo. 431, 99
v. Elliott, 83 Minn. 469, 1426
v. Flour Co., 41 Ohio St. 552, 262
v. Hart, 37 Neb. 197, 251
v. Lanier, 11 Wall. (U. S.) 369, 98, 99
v. Monteath, 17 Barb. (N. Y.) 171, 229
v. New York, &c., R. Co., 106 N. Y. 195, 1416
v. Patterson, 7 Cranch, 299, 228
v. Wickersham, 99 Cal. 655, 87
Bank of America v. McNeil, 10 Bush (Ky.), 54, 97, 101
Bank of Attica v. Manufacturers', &c., Bank, 20 N. Y. 501, 99
Bank of Augusta v. Earle, 13 Pet. (U. S.) 519, 17, 22, 24, 27, 164, 264, 766
Bank of Batavia v. New York, &c., R. Co., 106 N. Y. 195, 288, 303, 1415, 1416, 1419
Bank of Cal. v. San Francisco, 142 Cal. 276, 67
Bank of Chattanooga v. Bank of Memphis, 9 Heisk. (Tenn.) 408, 349, 353, 378
Bank of Chillicothe v. Swayne, 5 Ohio, 257, 371
Bank of Columbia v. Patterson, 7 Cranch, 299, 204
Bank of Commerce v. Bissell, 72 N. Y. 615, 1427
v. Central, &c., Co., 115 Fed. 878, 592
v. New York City, 2 Black, 620, 754
v. Rutland, &c., R. Co., 10 How. Pr. (N. Y.) 1, 621
v. Tennessee, 104 U. S. 495, 76
Bank of Florence v. U. S., &c., Co., 104 Ala. 297, 544
Bank of Fort Madison v. Alden, 129 U. S. 372, 91
Bank of Gallipolis v. Trimble, 6 B. Mon. (Ky.) 599, 62
Bank of Genesee v. Patchin Bank, 19 N. Y. 312, 351
Bank of Healdsburg v. Bailhache, 65 Cal. 327, 256, 285
Bank of Holly Springs v. Pinson, 58 Miss. 421, 99, 192, 194
Bank of Irwin v. American Exp. Co., 102 N. W. 107, 1726
Bank of Jamaica v. Jefferson, 92 Tenn. 537, 616, 617
Bank of Kentucky v. Adams Exp. Co., 93 U. S. 174, 1381, 1401, 1441, 1453, 1670
Bank of Lewisburg v. Sheffey, 140 U. S. 445, 518
Bank of Litchfield v. Elliott, 83 Minn. 469, 1429
Bank of Little Rock v. McCarthy, 55 Ark. 473, 262
Bank of Louisiana v. Wilson, 19 La. Ann. 1, 612
Bank of Louisville v. Gray, 84 Ky. 565, 310
Bank of Lyons v. Demmon, Hill & D. Supp. (N. Y.) 398, 210
Bank of Maryland v. Ruff, 7 Gill & J. 448, 263
Bank of Middlebury v. Edgerton, 30 Vt. 182, 1, 67, 68, 525
v. Rutland, &c., R. Co., 30 Vt. 159, 210, 249, 250, 260, 347, 440, 491
Bank of Mississippi v. Duncan, 52 Miss. 740, 537
v. Wrenn, 11 Miss. 791, 62
Bank of Monroe v. Schermerhorn, 1 Clarke Ch. (N. Y.) 366, 586
Bank of Montreal v. Chicago, &c., R. Co., 48 Iowa, 518, 566, 590, 591, 595
v. Potts, &c., Co., 90 Mich. 345, 603, 604
v. Thayer, 7 Fed. R. 622, 590
Bank of N. Y., &c., v. American, &c., Co., 143 N. Y. 559, 303
Bank of Niagara, In Re, 6 Paige (N. Y.), 213, 584
Bank of North Liberties v. Cresson, 12 Serg. & R. (Pa.) 306, 232
Bank of Rochester v. Jones, 4 N. Y. 497, 1426, 1428, 1429
Bank of Rome v. Rome, 19 N. Y. 20, 900
v. Village of Rome, 18 N. Y. 38, 1, 843
Bank of St. Mary's v. St. John, 25 Ala. 566, 178, 315, 440, 713

Digitized by Google

[*References are to Sections--Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bank of South Australia v. Abrahams, L. R. 6 P. C. 265. 251
Bank of Statesville v. Statesville, 84 N. Car. 169. 881
Bank of Toledo v. International Bank, 21 N. Y. 542, 18, 398
Bank of Tupelo v. Kansas City, &c., R. Co. (Miss.) 16 So. R. 572, 1419
Bank of U. S. v. Dandridge, 12 Wheat. (U. S.) 64, 232, 369, 409, 485, 865, 883
v. Davis, 2 Hill (N. Y.), 451, 213, 268
v. Dunn, 6 Pet. 51, 355
v. McKenzie, 2 Brock. (U. S. C. C.) 393, 25
v. Owens, 2 Pet. 527, 383
Bank of Utica v. Smalley, 2 Cowen (N. Y.), 770, 101
Bank of Virginia v. Adams, 1 Parson Eq. Cas. 534, 179, 264
Bank of Wilmington v. Wollaston, 3 Harring. (Del.) 90, 192, 233
Bank of Yolo v. Weaver (Cal.), 31 Pac. R. 160, 267
Bank Comrs. v. Bank of Brest, 1 Harr. Ch. (Mich.) 106, 252
Bank Tax Cases, 2 Wall. 200, 754, 1665
Bank, &c., v. Dallam, 4 Dana (Ky.), 574, 179, 182
v. Ibbotson, 5 Hill (N. Y.), 461, 186
Bankard v. Baltimore, &c., R. Co., 34 Md. 197, 1500, 1548
Bankhead v. Brown, 25 Iowa, 540, 952
Bankler v. Wilson, 5 L. Can. R. 203, 1653
Banks v. Braman, 80 N. E. 799, 1813
v. Georgia, &c., R. Co., 112 Ga. 655, 472
v. Poitaux, 3 Rand. (Va.) 136, 410
Bannatyne v. Direct, &c., Co., 55 L. T. R. 716, 85
Banner v. Wabash R. Co., 108 N. W. 759, 1688a
Bannon v. Baltimore, &c., R. Co., 24 Md. 108, 1259
v. Lutz, 158 Pa. St. 166, 1283, 1288
Bansemer v. Toledo, &c., R. Co., 25 Ind. 434, 1464, 1518
Baptist Church v. Baltimore, &c., R. R. Co., 4 Mackey (D. C.), 43, 18
v. Schenectady R. Co., 5 Barb. N. Y. 79, 617
Baptist Meeting House v. Webb, 66 Me. 398, 608
Barataria Canning Co. v. Louisville, &c., R. Co., 143 Fed. 113, 656a
Barber v. Andover, 8 N. H. 398, 964
v. Boston, &c., R. Co., 145 Fed. 52, 648, 656a
v. Brace, 3 Conn. 9, 1423
v. International Co., 73 Conn. 587, 561
v. Morris, 37 Minn. 194, 1023
v. Saginaw Union R. Co., 83 Mich. 299, 630
Barbier v. Connolly, 113 U. S. 27, 671, 774, 1670
Barbo v. Bassett, 35 Minn. 485, 1288
Barbour County v. Horn, 48 Ala. 566, 1807
Barcalow v. Totten (N. J.), 32 Atl. 2, 600
Barclay v. Talman, 4 Edw. Chan. (N. Y.) 123, 179
v. Wainewright, 14 Ves. 66, 307
Barclay R., &c. Co. v. Ingham, 36 Pa. St. 194, 977
Barcus v. Gates, 89 Fed. 783, 132
v. Hannibal, &c., Co., 26 Mo. 102, 256
Bard v. Augusta, 30 Fed. R. 906, 835, 836
v. Banigan, 39 Fed. R. 13, 82, 230
v. Pennsylvania Trac. Co., 176 Pa. St. 97, 1096cz, 1630
v. Poole, 12 N. Y. 495, 511
Barden v. Boston, &c., R. Co., 121 Mass. 426, 1633
v. Portage, 79 Wis. 126, 1057f
Bardon v. Northern Pac. R. Co., 145 U. S. 535, 798a, 803
Bardstown & L. R. R. Co. v. Metcalfe, 4 Metc. (Ky.), 199, 488, 490, 522, 1096ad
Bardstown, &c., Turnp. Co. v. Rodman (Ky.), 13 S. W. 917, 250
Bardwell v. American Ex. Co., 35 Minn. 344, 1401, 1453
v. Collins, 44 Minn. 97, 517
v. Jamaica, 15 Vt. 438, 1804
v. Mobile, &c., R. Co., 63 Miss. 574, 1628, 1643
Bargate v. Shortridge, 5 H. L. Cas. 297, 259, 895a, 898
Barge's Case, L. R. 5 Eq. Cas. 420, 133
Barger v. North Carolina St. R. Co., 54 Ill. App. 284, 1756
Bark Chusan, The, 2 Story (U. S.), 455, 1358e
Bark Edwin, The, 1 Sprague (U. S. Dist.), 477, 1418
Bark Olbers, The, 3 Ben. (U. S. C. C.) 148, 1420
Barker, Matter of, 6 Wend. (N. Y.) 509, 157, 158
Barker v. Brown, 138 Mass. 340, 1567
v. Buell, 35 Ind. 297, 1061
v. Central Park, &c., R. Co., 151 N. Y. 237, 200, 1096da, 1402
v. Great Western R. Co., 7 Man. & G. 253, 1393
v. Hannibal, &c., R. Co., 91 Mo. 86, 1368
v. Hartman Steel Co., 129 Pa. St. 551, 630
v. Hartman Steel Co., 6 Pa. Co., Ct. 183, 1a
v. Havens, 17 Johns, 234, 1559, 1709
v. Hodgson, 3 M. & S. 267, 1473
v. Midland, &c., R. Co., 18 C. B. 46, 200, 1678
v. Northern Pac. R. Co., 65 Fed. R. 460, 1377, 1697
v. Ohio R. Co., 51 W. Va. 423, 1641
v. Perry, 67 Iowa, 146, 1699
v. Savage, 45 N. Y. 191, 1095, 1171
v. Schooner E. M. Wright, 1 Mackey (U. S. C. C.), 24, 1567
v. Taunton, 119 Mass. 392, 1007
v. Troy, &c., R. Co., 27 Vt. 766, 1058a, 1060
Barkly v. Copeland, 74 Cal. 1, 1803
Barksdale v. Charleston R. Co., 66 S. Car. 204, 1315b
v. Finney, 14 Gratt. (Va.) 338, 334
Barksdull v. New Orleans, &c., R. Co., 23 La. Ann. 180, 1095
Barlage v. Detroit, &c., R. Co., 54 Mich. 564, 1023
Barley v. Chicago, &c., R. Co., 4 Biss. (U. S. C. C.) 430, 1159
v. Snyder, 61 Ill. App. 472, 285
Barlow v. Chicago, &c., R. Co., 29 Iowa, 276, 422, 931
Barmore v. Vicksburg, &c., R. Co., 85 Miss. 426, 1265
Barnacle v. Henderson, 42 Neb. 169, 1075

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Barnard v. Campbell, 58 N. Y. 73, 1541
v. Campbell, 55 N. Y. 456, 1429
v. Chicago, &c., R. Co., 110 N. W. 439, 1210
v. Gostling, 2 East, 569, 713
v. Norwich, &c., R. Co., 4 Cliff. 351, 495, 497
v. Sherley, 135 Ind. 547, 631
v. Vermont, &c., R. Co., 89 Mass. 512, 83, 86, 314, 312
Barnard, &c., Co. v. Galloway (S. Dak.), 58 N. W. Rep. 565, 1075
Barndt v. Chicago, &c., R. Co., 26 Iowa, 114, 1216
Barned's Banking Co. Re, L. R. 3 Ch. 105, 411
Barner v. Bayless, 134 Ind. 600, 856
Barnes v. Brown, 80 N. Y. 527, 88
v. Chicago, &c., R. Co. (Tex.), 33 S. W. 601, 973, 1029, 1030a
v. Chicago, &c., R. Co., 122 U. S. 1, 529
v. Foley, 5 Burr. 2711, 1522
v. Fox, 61 Iowa, 18, 1020
v. Keene, 132 N. Y. 13, 1822
v. Kornegay, 62 Fed. R. 671, 746
v. Lacon, 84 Ill. 461, 831, 896
v. Long Island, &c., R. Co., 100 N. Y. S. 593, 1504, 1510
v. Marshall, 18 Q. B. 785, 1466, 1558
v. Mobile, &c., R. Co., 12 Hun (N. Y.), 126, 621
v. Rembarz, 150 Ill. 192, 1283
v. Shreveport, &c., R. Co., 47 La. Ann. 1218, 1096ce, 1261
v. Suddard, 117 Ill. 237, 398
v. Thompson, 2 Swan (Tenn.), 313, 1071
v. Trenton Gas. Co., 27 N. J. Eq. 33, 226, 268
Barnett v. Atlantic, &c., Co., 68 Mo. 56, 1183, 1191, 1219
v. Denison, 145 U. S. 1, 885
v. East Tennessee, &c., R. Co., 87 Ga. 766, 1628
v. Johnson, 15 N. J. Eq. 481, 972, 1096d
v. Kinney, 147 U. S. 476, 555
v. London, &c., Ry. Co., 5 H. & N. 604, 1507
Barnett, &c., Co. v. Schlapks, 208 Ill. 426, 1356
Barney v. Globe Bank, 5 Blatch. (U. S. C. C.) 107, 646
v. Hannibal, &c., R. Co., 126 Mo. 372, 1255, 1260
v. Keokuk, 94 U. S. 324, 1076, 1091
v. Latham, 103 U. S. 205, 647, 650
v. New Albany, &c., R. Co., 1 Handy (Ohio), 571, 621
v. Oyster Bay, &c., Co., 67 N. Y. 301, 200, 1577
v. Winona, &c., R. Co., 117 U. S. 228, 799
Barnhart v. Chicago, &c., R. Co., 97 Ia. 654, 1198, 1702
Barnowski v. Helson, 15 L. R. A. 33, 1644
Barns v. Allen, 9 Am. Law. Reg. 747, 1368
Barnum v. Chicago, &c., R. Co., 30 Minn. 461, 1359
v. Okolona, 148 U. S. 393, 839, 891
Barr v. King, 96 Pa. St. 485, 624
Barr v. Midland R. Co., Irish Rep. 1 C. L. 130, 727a
v. New Brunswick, 67 Fed. 402, 951
v. New York, L. E. & W. R. Co., 5 N. Y. S. 623, 348
v. New York, L. E. & W. R. Co., 52 Hun, 555, 348
v. New York, &c., R. Co., 96 N. Y. 444, 169, 252, 620
v. New York, &c., R. R. Co., 125 N. Y. 263, 89, 91, 167, 478, 1058
v. Oskaloosa, 45 Iowa, 275, 1086
v. Pittsburg, &c., Co., 40 Fed. 412, 275, 620
v. Pittsburg, &c., Co., 51 Fed. R. 33, 275
v. St. Louis, &c., R. Co., 114 Mo. App. 425, 1840
v. Southern R. Co., 105 Tenn. 544, 1173
Barracouta, The, 39 Fed. R. 288, 1513
Barre R. Co. v. Montpelier, &c., R. Co., 61 Vt. 1, 921, 922, 927, 949, 964, 966, 974
Barre Turnpike Co. v. Appleton, 2 Pick. (Mass.) 430, 1022, 1024, 1047
Barret v. Dutton, 4 Campl. 333, 1473
v. County Ct. of Schuyler County, 44 Mo. 197, 882
v. Great Northern, &c., R. Co., 1 C. B. (N. S.) 423, 705
v. Great Northern R. Co., 87 E. C. L. 423, 1465
v. Indianapolis, &c., Co., 9 Mo. App. 226, 210
v. Malden, &c., R. Co., 3 Allen (Mass.), 101, 1639
v. Market St. R. Co., 81 Cal. 296, 1096da, 1603
v. Palmer, 135 N. Y. 336, 965
v. Rogers, 7 Mass. 297, 1420
v. Southern Pac. R. Co., 91 Cal. 296, 1259, 1262
v. Stockton, &c., R. Co., 2 Man. & Gr. 134, 41
v. Third Ave. R. Co., 45 N. Y. 628, 1096ck, 1178
Barril v. Calender Insulating & W. P. Co., 50 Hun, 257, 230
Barringer v. St. Louis, &c., R. Co., 73 Ark. 548, 1592, 1628, 1841
Barrington v. Mississippi Cent. R. Co., 32 Miss. 370, 106
Barron v. Baltimore, 7 Pet. (U. S.) 243, 980
v. Burnside, 121 U. S. 186, 23, 1371
v. Chicago, &c., R. Co., 89 Wis. 79, 1264
v. Eldridge, 100 Mass. 455, 1409, 1462, 1464
v. Mayor, &c., of Baltimore, 7 Peters (U. S.), 243, 951
Barrone St. Co. v. Kane, 170 U. S. 100, 621a
Barrott v. Pullman, &c., Co., 51 Fed. R. 796, 1622, 1623
Barrow v. Chicago, &c., R. Co., 89 Wis. 79, 1158
v. Coles, 3 Camp. 92, 1428
v. Davis, 46 Mo. 394, 751
v. Hunton, 99 U. S. 80, 646, 654
Barrow S. S. Co. v. Kane, 170 U. S. 100, 23, 623
Barrow, &c., Co., Re, 59 L. T. R. 500, 85

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Barrows v. Baughman, 9 Mich. 213, 1075
v. Natchany, &c., Co., 72 Conn. 658, 87
Barrus, In re, 136 U. S. 586, 1663
Barry, In re, 42 Fed. R. 113, 1663
Barry v. Boston, &c., R. Co., 172 Mass. 109, 1841
v. Burlington, &c., Co., 119 Ia. 62, 1096cq
v. Hannibal, &c., R. Co., 98 Mo. 62, 1282, 1297, 1795
v. McGee, 100 Ga. 759, 1341
v. Merchants' Exchange Co., 1 Sandf. Chan. (N. Y.) 280, 76, 314, 424
v. Missouri, &c., Ry. Co., 27 Fed. R. 1, 482
v. Missouri, &c., Ry. Co., 34 Fed. R. 829, 527
v. New York, &c., R. Co., 92 N. Y. 289, 1154, 1155, 1162, 1172, 1252, 1261
v. Railroad, 119 Ia. 62, 1096cl
v. Railroad Co., 104 N. Y. 362, 1151a
v. Union R. Co., 105 App. Div. 520, 1096cs
v. Union Trac. Co., 194 Pa. St. 576, 1096cz
Barstow v. Berlin, 34 Wis. 357, 1689b
v. Old Colony R. Co., 143 Mass. 535, 1267a
v. Pine Bluff, M. & N. O. Ry. Co., 57 Ark. 334, 521
v. Savage, &c., Co., 64 Cal. 388, 79
Bartelott v. International Bank, 119 Ill. 259, 1702
Bartemeyer v. Rohlfs, 71 Iowa, 582, 835, 836
Barter v. Martin, 5 Me. 76, 710
v. Wheeler, 49 N. H. 339, 573, 1441, 1445, 1494, 1505
Barth v. Kansas City, &c., R. Co., 142 Mo. 535, 1096cs, 1096cy, 1378a, 1579
Barthel v. Meader, 72 Iowa, 125, 842, 861, 886
Bartholamaus v. Milwaukee, &c., Co. 109 N. W. 143, 1096bp, 1096ck
Bartholomew v. Bently, 1 Ohio St. 37, 241
v. Bentley, 15 Ohio, 659, 282, 316
v. New York, &c., R. Co., 102 N. Y. 716, 1628
v. St. Louis, &c., R. Co., 53 Ill. 227, 1651
Bartlett v. Beardmore, 77 Wis. 356, 948
v. Drew, 57 N. Y. 587, 315, 548
v. Dubuque, &c., R. Co., 20 Iowa, 188, 1198, 1200
v. Keim, 50 N. J. L. 260, 577
v. New York, &c., R. Co., 25 Jones & S. (N. Y.) 348, 1578
v. New York, &c., R. Co., 57 N. Y. Super. Ct. 348, 1784
v. Pittsburgh, &c., R. Co., 94 Ind. 281, 364, 1423, 1459, 1500, 1504, 1511
v. Steamboat Philadelphia, 32 Mo. 256, 1517, 1523, 1524, 1531
v. Wabash R. Co., 220 Ill. 163, 1248, 1257
v. Wilbur, 53 Md. 485. 570
Bartlett, &c., Mining Co. v. Roach, 68 Ill. 174. 1315
Bartlette v. Norwich, &c., R. Co., 33 Conn. 560. 356
Bartley v. Metropolitan St. R. Co., 148 Mo. 124, 1096cx, 1764
Bartol v. Walton, &c., Co., 92 Fed. 13, 132
Barton v. Barbour, 104 U. S. 126, 537, 542, 566, 571, 572, 573
v. Enterprise, &c., Ass'n, 114 Ind. 226. 163, 540
v. Keyes, 1 Filippin, 61, 533
v. London & N. W. R. Co., L. R. 24 Q. B. D. 77, 80, 94
v. North, &c., R. Co., L. R. 38 Ch. D. 458, 94
v. Pepin Co., &c., Society, 83 Wis. 19, 1584
v. Port Jackson, &c., Co., 17 Barb. (N. Y.) 397, 95
v. Springfield, 110 Mass. 131, 1173
v. State, 28 Tex. App. 483, 730
Barton's Case, 4 De G. & J. 46, 149
Barton's Trust, In re, L. R. 5 Eq. 238, 307
Bartonshill, &c., Co. v. Reid, 3 Macq. 266, 234, 1316
Bartram v. Central T. Co., 25 Cal. 283, 32
v. Farebrother, 4 Bing. 579, 1543
Basch v. North Chicago, &c., R. Co., 40 Ill. App. 583, 1096cy
Bashor v. Baltimore, &c., R. Co., 65 Md. 99, 1068
Baskett v. Metropolitan St. R. Co., 101 S. W. 138, 1833, 1844
Basnight v. Atlantic, &c., R. Co., 111 N. C. 592, 1409, 1410, 1464
Bason v. King's, &c., Mining Co., 90 N. C. 417, 414
Bass v. Chicago, &c., R. Co., 42 Wis. 654, 1638, 1802
v. Chicago, &c., R. Co., 36 Wis. 450, 200, 202, 1280, 1577, 1802
v. Chicago, &c., R. Co., 39 Wis. 636, 1265, 1637, 1638
v. Chicago, &c., R. Co., 28 Ill. 9, 1224, 1226, 1232
v. Cleveland, &c., R. Co., 142 Mich. 177, 1592
v. Concord St. R. Co. (N. H.) 46 Atl. 1056, 1096bt
v. Doerman, 112 Ind. 390, 605
v. Elliott, 105 Ind. 517, 1042
v. Fountleroy, 11 Tex. 698, 824
v. Ft. Wayne, 121 Ind. 389, 1011, 1015, 1049g
v. Glover, 63 Ga. 745, 1426, 1532
v. Roanoke Nav., &c., Co., 111 N. C. 439, 54, 55
v. State, 34 La. Ann. 494, 950
v. Taft, 137 U. S. 458, 918
Basse v. Gallegger, 7 Wis. 442. 506
Bassett v. Barbin, 11 La. Ann., 672, 918
v. Conn. River, &c., R. Co., 145 Mass. 129, 1222, 1223, 1464
v. Fairchild, 132 Cal. 637, 263
v. Monte Christo, &c., Co., 15 Nev. 293, 264, 491, 501
v. Norwich, &c., R. Co., 9 Law Reporter (N. S.), 551, 1292
Basshor v. Forbes, 36 Md. 154, 186
Bassy v. Hannibal, &c., Co., 98 Mo. 62, 1133
Bastard v. Bastard, 2 Shower, 81, 1466, 1558
Batchelder v. Council, &c., Co., 131 N. Y. 42, 507
v. Hibbard, 58 N. H. 269, 949
Bate v. Canadian Pac. R. Co., 15 Ont. App. 338, 1661
Bateman v. Mayor, &c., Ashton, &c., 3 Hurl. & N. 323, 341

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bateman v. Mid-Wales R. Co., L. R. 1 C. P. 499, 42, 480
v. Peninsular R. Co., 20 Wash. 133, 1271
v. Service, L. R. 6 App. Cases, 386, 190
Bates v. Androscoggin, &c., R. Co., 49 Me. 491, 81, 83
v. Boston Elevated R. Co., 187 Mass. 328, 1003
v. Chicago, &c., R. Co., 60 Wis. 296, 624, 625, 626, 1538
v. Cooper, 5 Ohio, 115, 1050
v. Fremont, &c., R. Co. (S. Dak.), 61 Am. & Eng. R. Cas. 392, 1702
v. Great Western Tel. Co., 134 Ill. 536, 90, 91, 110, 155
v. Holbrook, 171 N. Y. 460, 1057j
v. McKinley, 31 Beav. 280, 307
v. Nashville, &c., R. Co., 90 Tenn. 36, 1259
v. New Orleans, &c., R. Co., 16 Fed. R. 294, 647
v. N. Y., &c., Co., 3 Johns. Cas. (N. Y.) 238, 100
v. New York, &c., R. Co., 60 Conn. 259, 1164
v. New York, &c., R. Co., 84 Hun, 287, 1163, 1170
v. Old Colony, &c., R. Co., 147 Mass. 255, 364, 1378c, 1398, 1625a, 1645
v. Pennsylvania Co., 2 Interst. Com. R. 715, 1678
v. Pricket, 5 Ind. 22, 1286, 1701
v. Ray, 102 Mass. 458, 1014
v. Sharon, 45 Vt. 474, 1782
v. Stanton, 1 Duer. (N. Y.) 79, 1426
v. Todd, 1 Moo. & R. 106, 1419, 1420
v. White, 13 N. Y. St. R. 602, 1562
v. Wilson, 14 Colo. 140, 35, 36
v. Winters, 97 U. S. 83, 836, 886, 894, 896
v. Winters, 112 U. S. 325, 325, 329, 863
Bath's Case, L. R. 8 Ch. Div. 334, 177, 342
Bath v. Miller, 53 Me. 308, 495
v. Miller, 51 Me. 341, 490, 495, 497
v. Miller, 54 Me. 308, 495
Bath Gaslight Co. v. Claffy, 56 N. Y. S. R. 426, 369
v. Claffy, 151 N. Y. 24, 368
Bathe v. Decatur, &c., Co., 73 Iowa, 11, 254
Baton Rouge, The City of, 19 Fed. R. 461, 1463
Batson v. Donovan, 4 B. & Ald. 21, 1466, 1477, 1491, 1691
Battaglia v. Thomas, 5 Tex. Civ. App. 563, 229
Battaile v. Fisher, 36 Miss. 321, 584
Battelle v. Northwestern, &c., Co., 37 Minn. 89, 14, 276
Batten v. St. Louis Trans. Co., 102 Mo. App. 285, 1815
Batterson v. Chicago, &c., R. Co., 53 Mich. 125, 334, 1269, 1272, 1288
v. Chicago, &c., R. Co., 49 Mich. 184, 1697, 1801
Battery, &c., Bank v. Western, &c., Bank, 126 N. C. 531, 584
Battiskill v. Humphrey, 64 Mich. 494, 1157, 1175, 1257
Battle v. Davis, 66 N. C. 252, 568
v. Columbia, &c., R. Co., 70 S. Car. 329, 1651, 1656, 1660
Battle v. McArthur, 49 Fed. R. 715, 1071
Battles v. Braintree, 14 Vt. 348, 1008
Batton v. South, &c., R. Co., 77 Ala. 591, 1591, 1639, 1640
v. South, &c., R. Co., 50 Fed. R. 755, 1590
Batty v. Duxbury, 24 Vt. 155, 1092
Bauer v. Samson Lodge, 102 Ind. 262, 192, 193, 1059
Baugh v. McDaniel, 42 Ga. 641, 1437
Baughman v. Louisville, &c., R. Co., 94 Ky. 150, 1504, 1511
Baulec v. New York, &c., R. Co., 59 N. Y. 356, 1284, 1292
Bauman v. Ross, 167 U. S. 548, 987, 1012
Baumbach v. Gulf, &c., R. Co., 4 Tex. Civ. App. 650, 1710
Baumgartner v. City of Mankato 62 N. W. 127, 1092
Baumler v. Narragansett, &c., Co., 23 R. I. 430, 1689e
Bausmer v. Toledo, &c., R. Co., 25 Ind. 434, 1527
Bavard v. Lincoln Traction Co., 105 N. W. 635, 1639
Bavington v. Pittsburgh, &c., R. Co., 34 Pa. St. 358, 128, 134
Baxendale v. Eastern, &c., R. Co., 4 Com. B. (N. S.) 62, 1467, 1563
v. Great Western Ry. Co., 5 C. B. (N. S.) 336, 1467, 1676
v. Hart, 21 L. J. Ex. 123, 1406
v. London, &c., R. Co., 44 L. J. Ex. 20, 1452
v. North, &c., R. Co., 3 C. B. (N. S.) 324, 1678
Baxter v. Boston, &c., R. Co., 102 Mass. 383, 670b, 1181
v. Chicago, &c., R. Co., 87 Ia. 488, 1179e, 1689d
v. Gray, 4 Scott N. R. 374, 1267
v. Leland, Abb. Admr. Pr. 348, 1420
v. Leland, 1 Blatchf. 526, 1481
v. Louisville, &c., R. Co., 165 Ill. 78, 1512, 1694
v. Lowe, 93 Fed. 358, 585
v. Moses, 77 Me. 465, 179
v. Nashville, &c., Turnpike Co., 10 Lea (Tenn.), 488, 67, 520
v. Second Ave. R. Co., 30 How. Pr. 219, 1168
v. St. Louis Transit Co. (Mo. App.), 95 S. W. 856 1096bs
Bay City R. Co. v. Austin, 21 Mich. 390, 467, 715, 1063, 1184, 1190, 1208, 1209
Bay City Belt Line R. Co. v. Hitchcock, 90 Mich. 533, 36, 1029, 1046a
Bay Shore R. Co. v. Harris, 67 Ala. 6, 1800
Bay View, &c., Co. v. Williams, 50 Cal. 353, 266
Bayard v. Farmers' &c., Bank, 52 Pa. St. 232, 92
v. Smith, 17 Wend. 88, 701
Bayles v. Kansas Pac. R. Co., 13 Colo. 181, 567, 1467, 1565, 1676
Bayless v. Orne, 1 Freem. Ch. Miss. 161, 54, 271
Bayley v. Eastern R. Co., 125 Mass. 62, 1157
Baylis v. Lintott, L. R. 8 C. P. 345, 1693
Bayliss v. Lafayette, &c., R. Co., 8 Biss. (U. S.) 193, 167
v. Swift, 40 Iowa, 648, 179, 188
Baylor v. Delaware, &c., R. Co., 40 N. J. Law, 23, 1271, 1312

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bayonne, &c., Co. v. Umbenhauer, 107 Ala. 496, 1539, 1539a
Bay Shore R. Co. v. Harris, 67 Ala. 6, 1172
Bazin v. Liverpool, &c., S. S. Co., 3 Wall. Jr. 229, 1558
Beach v. Cooper, 72 Cal. 99, 165
v. Miller, 130 Ill. 162, 273, 276, 604
v. Raritan, &c., Co., 37 N. Y. 457, 1457
v. Smith, 30 N. Y. 116, 106, 110
Beacon v. Shreve, 22 N. J. Law, 176, 1017
Beaconsfield, The, 158 U. S. 303, 1705
Beadel v. Perry, 3 L. R. Eq. 465, 633
Beadell v. Eastern R. Co., 2 C. B. (N. S.) 509, 1678
Beadle v. Kansas City, &c., R. Co., 48 Kan. 379, 1689e
v. Kansas City, &c., R. Co., 51 Kan. 248, 1564
Beadleston v. Harpending, 32 Fed. R. 644, 654
v. Sprague, 6 Johns. (N. Y.) 101, 713
Beal v. Blair, 33 Iowa, 318, 422
v. Chase, 31 Mich. 490, 237, 1675
v. Durham, &c., R. Co., 136 N. Car. 298, 1000, 1001, 1049d
v. New York, &c., R. Co., 3 How. Pr. N. S. (N. Y.) 329, 972
v. New York, &c., R. Co., 4 N. Y. S. Rep. 174, 325
v. Osborne, 72 Cal. 305, 281
v. South Devon, &c., R. Co., 3 H. & Colt, 337, 1495, 1608
Beale v. Penna. R. Co., 86 Pa. St. 509, 929, 930, 985, 1033, 1044, 1045, 1053
Beals v. Illinois, &c., R. R. Co., 133 U. S. 290, 508
v. Providence Rubber Co., 11 R. I. 381, 784
Bean v. Atlantic, &c., R. Co., 63 Me. 293, 472, 1208, 1222, 1223, 1237
v. Miller, 69 Mo. 384, 1059, 1061, 1062
v. Oceanic Co., 24 Fed. R. 124, 1307
v. Warner, 38 N. H. 247, 1001
v. Western N. Car. R. Co., 107 N. Car. 731, 1269
Bear v. Burlington, &c., R. Co., 48 Iowa, 619, 500, 1072
Bear Lake, &c., R. Co. v. Garland, 164 U. S. 1, 497, 498
Beard v. Arbuckle, 19 W. Va. 145, 552
v. Chesapeake, &c., R. Co., 90 Va. 351, 1278, 1296
v. Connecticut, &c., R. Co., 48 Vt. 101, 1590, 1641
v. Hopkinsville, 95 Ky. 215, 845
v. Illinois Cent. R. Co., 79 Iowa, 518, 1449, 1450, 1465, 1474, 1475, 1478
v. St. Louis & T. H. Ry. Co., 79 Iowa, 527, 364, 1434, 1435
Beardsley v. Johnson, 121 N. Y. 224, 164, 241, 244, 246
v. Johnson, 49 Hun, 607, 265
v. Lehigh Valley, &c., R. Co., 142 N. Y. 173, 1139
v. New York, &c., R. Co., 162 N. Y. 230, 1593a, 1600, 1670a
v. Ohio Valley Ry. Co., 20 N. Y. Supp. 458, 1147
v. Ontario Bank, 31 Barb. 619, 389
v. Washington, 39 Conn. 265, 1046
Beasley v. Baltimore, &c., R. Co., 27 App. D. C. 595, 1451
Beasley v. San Jose Fruit Packing Co., 92 Cal. 388, 1286
Beaston v. Farmers' Bank, 12 Pet. (U. S.) 102, 602
Beath v. Rapid R., &c., Co., 119 Mich. 512, 1773, 1816, 1819
Beatson v. Schank, 3 East, 233, 1473
Beattie v. Delaware, &c., Co., 90 N. Y. 643, 216, 227
v. Railroad Co. (Pa.) 1 Atl. 574, 1096cp
Beatty v. Bartholomew, &c., Society, 76 Ind. 91, 616
v. Central, &c., R. Co., 58 Iowa, 242, 1097, 1263, 1697
v. Gregory, 17 Iowa, 109, 949
v. Marine Ins. Co., 2 Johns. 109, 204, 235, 410
v. Mutual, &c., Asso., 75 Fed. R. 65, 1702
Beauchamp v. International, &c., Railway Co., 56 Tex. 239, 200
v. Powley, 1 M. & Rob. 38, 1535
v. Saginaw, &c., Co., 50 Mich. 163, 1057
Beaudin v. Oregon, &c., R. Co., 31 Mont. 238, 1214, 1215
Beaulieu v. Portland, &c., R. Co., 48 Me. 291, 1163
Beaumon v. Canadian B. R. Co., Montreal L. R. 5 Super. Ct. 255, 1438
Beaumont Trac. Co. v. Delworth, 94 S. W. 352, 1704
Beavan v. Beavan, 53 L. T. Rep. 245, 307
Beaver v. Armstrong, 44 Pa. St. 63, 486
B. E. Brister Co. v. Illinois Cent. R. Co., 84 Miss. 33, 1227
Bechdolt v. Grand Rapids, &c., R. Co., 113 Ind. 343, 1193, 1194
Becher v. Great Eastern R. Co., L. R. 5 Q. B. 241, 1652a, 1656, 1660
v. Wells, &c., Co., 1 McCrary (U. S.), 62, 155
Beck v. Ashkettle, 18 R. I. 374, 558
v. Kantorowicz, 3 Kay & J. 230, 11
v. Pennsylvania R. Co., 63 N. J. L. 232, 1379
v. Portland, &c., R. Co., 25 Ore. 32, 721, 1155
v. United New Jersey, &c., R. Co., 39 N. J. Law, 45, 954, 971
Becke v. Missouri, &c., R. Co., 102 Mo. 544, 1163, 1174
Beckel v. Union Township, 15 Ohio St. 437, 876
Becker v. Albany R. Co., 35 App. Div. (N. Y.) 46, 1826
v. Baumgartner, 5 Ind. App. 576, 1697
v. Lebanon, &c., R. Co., 25 Pa. Sup. Ct. 367, 1049f
v. Philadelphia, &c., R. Co., 177 Pa. St. 252, 996, 1030a
v. State, 33 Ind. App. 261, 717, 719
v. Torrance, 31 N. Y. 631, 563
Beckett v. Houston, 32 Ind. 393, 78, 156, 157
v. Midland R. Co., L. R. 1 C. P. 241, 1041
v. Midland R. Co., L. R. 3 C. P. 82, 987, 994
Beckham v. Seaboard, &c., R. Co., 56 S. E. 638, 1231
Beckman v. Consolidated Coal Co., 90 Iowa, 252, 1702
v. Saratoga, &c., R. Co., 3 Paige, 45, 1573

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Beckman v. Shoues, 5 Rawle, 179, 1466
Beckner v. Riverside, &c., Turnp. Co., 65 Ind. 468, 133
Becksted v. Montana, &c., R. Co., 19 Mont. 147, 1213
Beckwith v. Carroll, 56 Ala. 12, 584
v. English, 52 Ill. 147, 840
v. Frisbie, 32 Vt. 559, 1455
Bedell v. Berkley, 76 Mich. 435, 1251
v. Detroit, &c., R. Co., 131 Mich. 668, 1096cq
v. Long Island R. Co., 44 N. Y. 367, 1244
v. Richmond, &c., R. Co., 94 Ga. 22, 1423
Bedford v. Neal, 143 Ind. 425, 1702
v. N. Y., &c., Co., 56 N. Y. Super. Ct. 236, 317
Bedford Belt R. Co. v. McDonald, 17 Ind. App. 492, 370
Bedford County v. Nashville R. R. Co., 14 Lea (Tenn.), 525, 110
Bedford Quarries Co. v, Bough, 80 N. E. 529, 1688b
Bedford R. Co. v. Bowser, 48 Pa. St. 29, 171, 176, 236, 252, 440
Bedford, &c., Co. v. Oman, 115 Ky. 369, 1468
v. Oman, 134 Fed. 441, 1411
Bedford, &c., R. Co. v. Brown, 142 Ind. 659, 1290, 1317
v. Rainbolt, 99 Ind. 551, 1585, 1644
v. Stanley, 32 L. J. Eq. 60, 14
Bee v. San Francisco, &c., R. Co., 46 Cal. 248, 257
Beebe v. Ayres, 28 Barb. (N. Y.) 275, 1595
v. Johnson, 19 Wend. 500, 1473
v. Scheidt, 13 Ohio St. 406, 684
Beecher v. Bininger, 7 Blatchf. (U. S.) 170, 540
v. Gillett, 1 Dill. (U. S. C. C.) 308, 646
v. Marquette, &c., Mill Co., 45 Mich. 103, 355, 381
Beede v. Wisconsin Cent. R. Co., 90 Minn. 36, 1450
Beehler v. Daniel, 18 R. I. 563, 1248
Beekman v. Hudson, &c., Ry. Co., 35 Fed. R. 3, 511, 512, 513, 619
v. Saratoga, &c., R. Co., 3 Paige (N. Y.), 45, 33, 67, 74, 814, 923, 950, 951, 952, 954, 960, 963, 1012
v. Third Ave. R. Co., 153 N. Y. 144, 1096k, 1906m
Beekman Street, Matter of, 20 Johns. 269, 684
Beem v. Tama, &c., R. Co., 104 Ia. 563, 1096cj
Beems v. Chicago, &c., R. Co., 58 Iowa, 150, 1378
Beer Co. v. Massachusetts, 97 U. S. 25, 671
Beers v. Boston, &c., R. Co., 67 Conn. 417, 1652a, 1657
v. Bridgeport Spring Co., 42 Conn. 17, 310, 312
v. Dalles City, 16 Ore. 334, 370
v. Housatonic, &c., R. Co., 19 Conn. 566, 1153, 1156, 1203
v. Metropolitan, &c., St. R. Co., 93 N. Y. 278, 1096bo
v. Wabash, &c., R. Co., 34 Fed. R. 244, 1393, 1395
v. Wabash, &c., R. Co., 29 Fed. R. 161, 586
Beery v. Chicago, &c., R. Co., 73 Wis. 197, 1845
Beesley v. Wheeler, &c., R. Co. 61 N. W. 658, 1301
Beeson v. Busenbark, 44 Kan. 669, 1, 577, 1337
v. Chicago, 75 Fed. 880, 1096j
Beeston, &c., Co. v. Midland R. Co., 5 R. & Canal Traf. Cas. 53, 1678
Behen v. St. Louis Transit Co., 186 Mo. 430, 1096bv
Behling v. Southwest, &c., Lines, 160 Pa. St. 359, 1799
Behlmer v. Louisville, &c., R. Co., 71 Fed. R. 835, 1682
Behlow v. Southern, &c., R. Co., 130 Cal. 16, 946c
Benm v. Western Union Telegraph Co., 8 Biss. 131, 1576
Behrens v. Kansas, &c., R. Co., 5 Colo. 400, 1376
Bellfus v. New York, &c., R. Co., 29 Hun, 556, 1321
Beine, In re, 42 Fed. R. 545, 667
Beisegel v. New York, &c., R. Co., 34 N. Y. 622, 1114, 1153, 1171
v. New York, &c., R. Co., 40 N. Y. 9, 1153, 1155
Belair v. Chicago, &c., R. Co., 43 Ia. 662, 1812
Belcher v. Missouri, &c., R. Co., 92 Tex. 593, 1744
v. Missouri, &c., R. Co., 47 S. W. 384, 1744
Belcher, &c., Co. v. St. Louis, &c., Elevator Co., 101 Mo. 192, 369
Belding v. Black Hills, &c., R. Co., 3 So. Dak. 369, 1361a, 1363
Beldon v. New York, &c., R. Co., 15 How. Pr. (N. Y.) 17, 24
Beleal v. Northern Pac. R. Co., 108 N. W. 33, 1335. 1355
Belfast, City of, 53 Me. 431, 1043
Belfast, &c., R. Co. v. Belfast, 77 Me. 445, 81, 83, 250, 312, 314, 316
v. Cottrell, 66 Me. 185, 149
v. Great Northern, &c., R. Co., 3 Nev. & Macq. R. Cas. 419, 1667
v. Inhabitants of Brooks, 60 Me. 568, 111, 859
v. Keys, 9 H. L. 556, 1647, 1649
v. Moore, 60 Me. 561, 109, 111
Belford v. Brooklyn Heights R. Co., 86 App. Div. (N. Y.) 388, 1791
Belger v. Dinsmore, 51 N. Y. 166, 1491, 1454, 1510
v. Dinsmore, 51 Barb. (N. Y.) 69, 1501
Belknap v. Boston, &c., R. Co., 49 N. H. 358, 1638, 1801, 1803
Bell's Appeal, 115 Pa. St. 88, 102, 178
Bell v. Chicago, &c., R. Co., 34 La. Ann. 785, 497, 574
v. Cox, 122 Ind. 153, 1001
v. Earl of Dudley, L. R. 1 Ch. Div. 182, 946a
v. Edwards, 37 La. Ann. 475, 630
v. Farmsville, &c., R. Co., 91 Va. 99, 843
v. Gough, 3 Zabr, N. J. 624, 1096d
v. Great Northern R. Co., 26 L. R. (I. R.) Ex. Div. 428, 1817
v. Hannibal, &c., R. Co., 72 Mo. 50, 1158
v. Hanover, &c., Bank, 57 Fed. R. 821, 287
v. Lafferty, 1 Pennypacker (Pa. Sup. Ct.) 454, 306
v. London, &c., R. Co., 2 Nev. & McN. 185, 1677, 1678
v. Louisville, &c., R. Co., 1 Bush (Ky.), 404, 950

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bell v. Maish, 137 Ind. 226, 872
v. Mobile, &c., R. Co., 4 Wall. (U. S.) 598, 836
v. New York, &c., R. Co., 168 Mass. 443, 1269, 1296
v. Pennsylvania, &c., R. R. Co. 10 Atl. 741, 323, 325, 328
v. Reed, 4 Binn. (Penn.) 127, 1406, 1718
v. Rocheford, 110 N. W. 646, 1333a
v. Windsor, &c., R. Co., 24 N. S. 521, 1524a
Bell's Gap R. Co. v. Christy, 79 Pa. St. 59, 14
v. Pennsylvania, 134 U. S. 232, 740, 769, 771, 772a, 774
Bellaire v. Baltimore, &c., Railroad Co., 146 U. S. 117, 650
Bellefontaine, &c., Co. v. Hunter, 33 Ind. 33, 218
Bellefontaine, &c., R. Co. v. Reed, 33 Ind. 476, 1194
v. Snyder, 18 Ohio St. 399, 1154, 1156, 1262
v. Suman, 29 Ind. 40, 1193, 1214
Belleville v. Citizens R. Co., 152 Ill. 171, 65, 69, 1079, 1096n, 1096bj
Belleville, &c., R. Co. v. Gregory, 15 Ill. 20, 1056b
Bellevue, &c., Co. v. Bellevue, 39 Neb. 876, 751
Bellinger v. New York Cent. R. Co., 23 N. Y. 42, 976, 977, 1005, 1057, 1057d
Bellingham, &c., R. Co. v. Strand, 4 Wash. 311, 1035, 1525
Bellington, &c., R. Co. v. Alston, 54 W. Va. 597, 631
Bellona Company's Case, 3 Bland (Md.), 442, 606, 952, 955
Bellows v. Pennsylvania, &c., Co., 157 Pa. St. 31, 1269, 1271a, 1283, 1297
v. Todd, 39 Iowa, 209, 264
Bellsdyke v. North British, &c., R. Co., 2 Nev. & McN. R. Cas. 105, 1467, 1682
Belmont v. Erie R. Co., 52 Barb. 637, 54, 87, 167, 483, 538, 550
Belo v. Commissioners, 76 N. C. 489, 903
Beloit v. Morgan, 7 Wall. 619, 845, 903
Beloit, &c., R. Co. v. Palmer, 19 Wis. 574, 114
Belt R. Co. v. Mann, 107 Ind. 89, 1175, 1251, 1762
Belton v. Baxter, 54 N. Y. 245, 1168
Belton Compress Co. v. Saunders, 70 Tex. 699, 109
Beman v. Rufford, 1 Sim. N. S. 550, 519
v. Rufford, 6 Eng. L. & Eq. 106, 376
Bemis v. Connecticut, &c., R. Co., 42 Vt. 375, 1160, 1190, 1204, 1205, 1206
v. Springfield, 122 Mass. 110, 972, 996, 1036
v. Lake R. Co., 47 La. Ann. 1671, 1628c
v. New Orleans, &c., R. Co., 47 La. Ann. 1671, 1630
Benage v. Lake Shore, &c., R. Co., 102 Mich. 72, 1280
Benbow v. Cook, 115 N. C. 324, 35
v. Iowa City, 7 Wall. 313, 918
v. North Car. R. Co., Phillips Law, 421, 1519
Bender v. Bowman, 2 Pearson (Pa.), 517, 1539a
v. St. Louis, &c., R. Co., 137 Mo. 240, 1279
Benedict v. Field, 16 N. Y. 595, 1539
v. Heineberg, 43 Vt. 231, 520
v. Minneapolis, &c., R. Co., 86 Minn. 224, 1096cz, 1261, 1630, 1630a, 1633
v. Potts, 88 Md. 52, 1644
v. St. Joseph, &c., R. Co., 19 Fed. R. 173, 530, 546
v. Schaettle, 12 Ohio St. 515, 1539
v. State, 120 N. Y. 228, 1007
Benesch v. John Hancock Mut. L. Ins. Co., 32 N. Y. S. R. 73, 213
v. Peninsular S. Co., 6 Com., B. 775, 1434, 1466
Benewitz v. Van Wert Co. Bank, 41 Ohio St. 78, 182
Bengston v. Chicago, &c., R. Co., 47 Minn. 486, 1289, 1298, 1298a
Benjamin v. Eldridge, 50 Cal. 612, 1373
v. Holyoke, St. R. Co., 160 Mass. 3, 1096ce, 1096ch, 1096cn, 1764
Benner v. Atlantic, &c., Co., 314 N. Y. 156, 1057
Benneson v. Bill, 62 Ill. 408, 561
Bennet v. Camden, &c., R. Co., 14 N. J. Law, 145, 1039, 1041
Bennett, Ex parte, 10 Ves. Jr. 381, 529
Bennett, Ex parte, 26 S. Car. 317, 1029
Bennett's Case, 5 De Gex, M. & G. 284, 274
Bennett v. American Exp. Co., 83 Me. 236, 1407, 1461, 1492, 1537
v. Byram, 38 Miss. 17, 1485, 1562
v. Chicago, &c., Co., 19 Wis. 145, 1180, 1201, 1209, 1214
v. Detroit Citizens St. R. Co., 123 Mich. 692, 1095
v. Devine, 45 Fed. R. 705, 648
v. Dutton, 10 N. H. 481, 1574, 1583
v. Express Co., 12 Ore. 49, 1514, 1524
v. Filyaw, 1 Fla. 403, 1435, 1516
v. Fisher, 26 Iowa, 497, 862
v. Grand Trunk, &c., R. Co., 3 Ont. 446, 1154
v. Greenwich, &c., R. Co., 84 Hun, 216, 1296
v. Long Island R. Co., 21 App. Div. (N. Y.) 25, 1268
v. Long Island R. Co., 181 N. Y. 431, 978, 1057, 1091
v. Louisville, &c., R. Co., 28 Ky. L. 990, 1628a
v. Manchester, &c., R. Co., 6 C. B. (N. S.) 707, 706
v. Manchester, &c., R. Co., 95 E. C. L. 707, 1465
v. Metropolitan St. R. Co., 99 S. W. 480, 1096de
v. Missouri, &c., R. Co., 32 S. W. 834, 1225
v. Missouri Pac. R. Co., 46 Mo. App. 656, 1412, 1449
v. New Jersey, &c., R. Co., 36 N. J. 225, 1174, 1178, 1635
v. New York Central, &c., R. Co., 69 N. Y. 594, 1593
v. New York, &c., R. Co., 57 Conn. 422, 1641
v. Northern Ex. Co., 12 Ore. 49, 1401, 1512, 1514, 1524, 1695, 1725
v. Northern Pac. Railway Co., 2 N. Dak. 112, 1279, 1296, 1314, 1689l

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Bennett v. Nichols, 80 Pac. 392, 750a
v. Railroad Co., 102 U. S. 577, 1093, 1096at, 1154, 1249, 1590, 1641
v. Railroad Co., 7 Phila. (Pa.) 11, 1600
v. St. Louis Car Roofing Co., 23 Mo. App. 587, 230
v. St. Louis, &c., R. Co., 36 Tex. Civ. App. 459, 1315e
v. Union Bank, 5 Humph. (Tenn.) 612, 501
Bennington v. Park, 50 Vt. 178, 814
Bennitt v. Guiding Star, 53 Fed. R. 936, 1403, 1416
Bensiek v. Thomas, 66 Fed. R. 104, 290, 373
Bensley v. Brockway, 27 Ill. App. 410, 217
v. Mountain Lake Water Co., 13 Cal. 306, 985, 1033
Benson, Ex parte, 18 So. Car. 38, 1467, 1565, 1680
Benson v. Baltimore, &c., Co., 77 Md. 535, 1249
v. Central Pac. R. Co., 98 Cal. 45, 1689h, 1799
v. Chicago, &c., R. Co., 41 Ill. App. 227, 1179j
v. Chicago, &c., R. Co., 78 Mo. 504, 937
v. Gray, 154 Mass. 391, 1522, 1552
v. Heathorn, 1 Y. & C. 326, 275
v. Mayor, 10 Barb. (N. Y.) 223, 965
v. Monson, &c., R. Co., 9 Met. (Mass.) 562, 709
Bent v. Hart, 10 Mo. App. 143, 78
v. Priest, 10 Mo. App. 543, 275
Bentham v. Hoyle, L. R. 3 Q. B. Div. 289, 727a
Bentley v. Columbia, &c., Co., 17 N. Y. 421, 288
Bentlif v. London, &c., Corp., 44 Fed. R. 667, 646
Benton v. Chicago, &c., R. Co., 55 Iowa, 496, 221, 1255, 1378a, 1822
v. Fay, 64 Ill. 417, 1731
v. Lindell, 10 Mo. 557, 625
v. North Carolina, &c., Co., 122 N. Car. 1007, 1378a
Benton Harbor v. St. Joseph, &c., St. R. Co., 102 Mich. 386, 1096aj
Benton Harbor Term. R. Co. v. King, 131 Mich. 377, 1053
Bentonville R. v. Baker, 45 Ark. 252, 934, 977, 1003, 1003b, 1025, 1048
Bentonville, &c., R. Co. v. Stroud, 45 Ark. 278, 1025
Benzinger Township, In re Public Road in, 115 Pa. St. 436, 1045
Bequette v. St. Louis, &c., R. Co., 86 Mo. App. 601, 1303
Berea, &c., Co. v. Kraft, 31 Ohio St. 287, 1316
Berford v. New York Iron Mine, 56 N. Y. Super. Ct. R. 236, 310, 314
Berg v. Atchison, &c., R. Co., 30 Kan. 561, 1433, 1435, 1438
v. Chicago, &c., R. Co., 50 Wis. 419, 1158
v. Narragansett Steamship Co., 74 Tex. 8, 1435
v. Parsons, 31 N. Y. Supp. 1091, 1064
v. Parsons, 84 Hun, 60, 1063
v. St. Paul City R. Co., 96 Minn. 513, 1801
Bergen Co. Trac. Co. v. Demarest, 62 N. J. L. 755, 1096cw, 1634
Bergen Co. Trac. Co. v. Heitman, 61 N. J. L. 682, 1096cl
Berger v. Chicago, &c., R. Co., 97 Mo. App. 127, 1823, 1848
v. St. Paul, &c., R. Co., 39 Minn. 78, 1312
v. United States Steel Corp., 63 N. J. Eq. 809, 87
Bergeson v. Hobbs, 96 Wis. 641, 18
Bergheim v. Great Eastern R. Co., L. R. 3 C. P. Div. 221, 1654, 1659
Berghoff v. McDonald, 87 Ind. 549, 231
Bergman v. St. Louis, &c., R. Co., 88 Mo. 678, 1175
v. St. Paul, &c., Ass'n, 29 Minn. 275, 193
v. St. Paul, &c., R. Co., 21 Minn. 533, 1031, 1032
Bergstrom v. Chicago, &c., R. Co., 111 N. W. 818, 1649
v. Staples, 82 Mich. 654, 1301
Beringer v. Dubuque, &c., R. Co., 118 Ia. 135, 1820
Berje v. Texas, &c., R. Co., 37 La. Ann. 468, 1511
Berke v. Twenty Third Ave. R. Co., 52 Hun, 611, 1096dc
Berkley v. Watling, 7 Ad. & El. 29, 1419
Berks Co. v. Reading City Pass. R. Co., 167 Pa. St. 102, 977a, 1096bl
Berks, &c., Road v. Myers, 6 Sergt. & R. 12, 257
Berkshire Woolen Co. v. Proctor, 7 Cush. (Mass.) 417, 1523
Berlack v. Halle, 22 Fla. 236, 511
Berliner v. Waterloo, 14 Wis. 378, 867
Berlinquet v. Queen, 13 Can. Sup. Ct. 26, 1060
Bernard v. Richmond, &c., R. Co., 85 Va. 792, 1221, 1242
Bernards Township v. Stebbins, 109 U. S. 341, 881, 895b
Bernet v. Camden, &c., R. Co., 14 N. J. Law, 1485, 1017
Berney v. Sewell, 1 Jac. & W. 627, 549
Berney Nat. Bank v. Pinckard, 87 Ala. 577, 79, 98
Bernhard v. Rensselaer, &c., R. Co., 1 Abb. Ct. App. 131, 1171, 1252
Bernhardt v. Western, &c., R. Co., 159 Pa. St. 360, 1590
Bernhart v. Rochester R. Co., 68 Hun (N. Y.), 369, 1096ci
Bernheim v. Birnbaum, 30 Fed. R. 885, 648
Bernier v. Bernier, 147 U. S. 242, 809
Berninger v. Sunbury, &c., R. Co., 203 Pa. St. 516, 1057d
Berninia, The, L. R. 12 Prob. Div. 58, 1174, 1178
Bernstein v. New York, &c., R. Co., 88 N. Y. Supp. 971, 1726
Bernstine v. Express Co., 40 Ohio St. 451, 1692
Berrian v. Methodist Soc. in N. Y., 4 Abb. Pr. (N. Y.) 424, 621
Berrigan v. New York, &c., R. Co., 131 N. Y. 582, 201, 1280
Berry v. Boston, &c., R. Co., 188 Mass. 536, 1265
v. Brett, 6 Bosw. (N. Y.), 627, 569
v. Broach, 65 Miss. 450, 529, 608
v. Central Ia. R. Co., 40 Ia. 564, 1298a
v. Cooper, 28 Ga. 543, 1497, 1516
v. Jones, 11 Heisk. (Tenn.) 206, 584
v. Kansas City, &c., R. R. Co., 52 Kan. 759, 329

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Berry v. Kansas City, &c., R. R. Co., 52 Kan. 774, 338
v. Lake Erie R. Co., 70 Fed. 679, 1262
v. Louisville, &c., R. Co., 128 Ind. 484, 1372, 1822
v. Missouri, &c., R. Co., 25 S. W. 229, 1581
v. Missouri Pac. R. Co., 124 Mo. 223, 1573
v. Penn. R. Co., 48 N. J. L. 141, 1157, 1166, 1171
v. Railroad Co., 22 Ky. L. 1410, 1578a
v. Ransdall, 4 Metc. (Ky.) 292, 1007
v. West Virginia, &c., R. Co., 44 W. Va. 538, 1463, 1520, 1527
v. Yates, 24 Barb. (N. Y.) 199, 107
Berry, &c., Co. v. Chicago, &c., R. Co., 116 Mo. App. 214, 1444, 1451, 1569, 1570
Berryman v. Cincinnati Southern Ry., 14 Bush (Ky.), 755, 121, 274, 928
Bertha, &c., Co. v. Martin (Va.), 22 S. E. R. 869, 1274, 1284
Bertha Zinc, &c., Co. v. Carico, 61 Fed. R. 132, 647
Berthold v. Holladay, &c., R. Co., 91 Mo. App. 233, 535
Bertholf v. O'Reilly, 74 N. Y. 509, 666
Bertie v. Falkland, 2 Freem. 222, 940
v. Lord Abingdon, 8 Beav. 53, 583
Bertonneau v. Board of Directors, 3 Woods, 77, 1665
Besel v. New York, &c., R. Co., 70 N. Y. 171, 1298a, 1327a
Beseman v. Pennsylvania R. Co., 50 N. J. L. 235, 1056a, 1057, 1085
Beshoar v. Chappell, 6 Colo. App. 323, 165, 167
Bess v. Chesapeake, &c., R. Co., 35 W. Va. 492, 1255
Bessex v. Chicago, &c., R. Co., 45 Wis. 477, 1268, 1278
Best v. Town of Kinston, 106 N. Car. 205, 1373
Bestor v. Wathen, 60 Ill. 138, 276, 386, 928
Bethea v. Northeastern R. Co., 26 S. Car. 91, 1438, 1502, 1502a
v. Raleigh, &c., R. Co., 40 Cal. 532, 1209
Bethel, &c., Turnp. Co. v. Bean, 58 Me. 89, 144
Bethell v. Clark, L. R. 20 Q. B. D. 615, 1543
Bethje v. Houston, &c., R. Co., 26 Tex. 604, 1214
Bethlehem Iron Co. v. Philadelphia, &c., Ry. Co., 49 N. J. Eq. 356, 529
Bethmann v. Old Colony R. Co., 155 Mass. 352, 1628
Bethune v. Cleveland, &c., R. Co., 149 Mo. 587, 1065, 1067
Bettridge v. Great Western R. Co., 3 Grant Err. & App. (U. C.) 58, 1611
Betts v. Bagley, 12 Pick. 572, 865
v. Chicago, &c., R. Co., 60 N. W. 623, 1548, 1551
v. Dimon, 3 Conn. 107, 675
v. Farmers' Loan & T. Co., 21 Wis. 80, 1511, 1550
v. Gibbins, 2 Ad. & El. 57, 1543a
Bettys v. Milwaukee, &c., R. Co., 37 Wis. 323, 714
Beuhring v. Chesapeake, &c., R. Co., 37 W. Va. 502, 1314, 1326
Beuttel v. Chicago, &c., R. Co., 26 Fed. R. 50, 650
Beveridge v. N. Y. El. R. R. Co., 112 N. Y. 1, 86, 235, 236, 250, 310, 434, 437, 440, 987
Beverley v. Boston El. R. Co., 80 N. E. 507, 1839
v. Brooke, 4 Grattan, 187, 549, 563
Bevier v. Delaware, &c., R. Co., 13 Hun, 254, 1224, 1238, 1239
v. Dillingham, 18 Wis. 529, 987
Bevine v. New York City R. Co., 96 N. Y. S. 1058, 1808
Bevis v. Baltimore, &c., Co., 26 Mo. App. 19, 217, 1622, 1625
Bewick v. Alpena Harbor Co., 39 Mich. 700, 60
Beyel v. Newport News, &c., R. Co., 34 W. Va. 538, 1153
Beyer v. Soper Lumber Co., 76 Wis. 145, 651, 653
Beynon v. Brandywine, &c., T. L. Co., 39 Ind. 129, 1012, 1014
v. Pennsylvania R. Co., 168 Pa. St. 642, 1170
Bibb v. Hall, 101 Ala. 79, 60
Bibb, &c., Co. v. Atchison, &c., R. Co., 94 Minn. 269, 1455, 1457a, 1534
v. Taylor, 95 Ga. 615, 1283
Bibber-White Co. v. White River, &c., Co., 115 Fed. 786, 592
v. White River, &c., R. Co., 131 Fed. 995, 1049
Bickford v. Grand Junction Ry. Co., 1 Sup. Ct. of Canada, 696, 488, 489, 958
v. Metropolitan, &c., Co., 109 Mass. 151, 1529
Bickley v. Schlag, 20 Atl. 250, 91
Biddle's Appeal, 99 Pa. St. 278, 307
Biddle v. Bond, 6 Best & S. 225, 1426, 1537
v. Hussman, 23 Mo. 579, 1003b
Bidwell v. Pittsburgh, &c., R. Co., 114 Pa. 535, 147
Bielenberg v. Montana, &c., R. Co., 8 Mont. 271, 665, 1183
Bien v. St. Louis Transit Co., 108 Mo. App. 399, 1315h
Bier v. Gorrell, 30 W. Va. 95, 603
Big Creek, &c., Co. v. Wolf, 138 Ind. 496, 1288
Big Four R. Co. v. Keely, 138 Ind. 600, 1166
Big Grove v. Wells, 65 Ill. 263, 836
Big Stone Gap Iron Co. v. Ketron, 102 Va. 23, 1779
Bigbee, &c., Packet Co. v. Moore, 121 Ala. 379, 373
Bigelow v. Chicago, &c., R. Co., 104 Wis. 109, 303
v. Draper, 6 N. Dak. 152, 1053
v. Gregory, 73 Ill. 197, 18, 190
v. Heaton, 4 Denio (N. Y.), 496, 1572
v. Mississippi Central, &c., R. Co., 2 Head (Tenn.), 624, 1027
v. Nickerson, 70 Fed. R. 113, 1361, 1362, 1371
v. Perth Amboy, 26 N. J. L. 297, 783
v. Union Freight R. Co., 137 Mass. 478, 540
v. West End St. R. Co., 161 Mass. 393, 1096bt, 1096ct
Bigg's Case, L. R. 1 Eq. 309, 150
Biggs v. Board, 7 Ind. App. 142, 736a
v. McBride, 17 Ore. 640, 1690

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bigham v. Chicago, &c., R. Co., 79 Iowa, 534, 222
Bilbee v. London, &c., R. Co., 18 Com. B. (N. S.) 584, 1157, 1161
Biles v. Tacoma, &c., R. Co., 5 Wash. St. 509, 42, 359
v. Seaboard Air Line R. Co., 139 N. Car. 528, 1282, 1702
Bill v. New Albany, &c., R. R., 2 Biss. (U. S.) 390, 533, 543, 553
v. Western Union Tel. Co., 16 Fed. R. 14, 275
Billings v. Chicago, 167 Ill. 337, 787a
v. Illinois, 188 U. S. 97, 772a
v. Robinson, 94 N. Y. 415, 92, 187
Billman v. Indianapolis, &c., R. Co., 76 Ind. 166, 1231, 1264, 1310
Bills v. New Orleans, &c., R. Co., 13 Blatchf. (U. S. C. C.) 227, 656
v. New York, &c., R. Co., 84 N. Y. 5, 1548, 1552, 1553, 1743
Bilton v. Southern Pac. R. Co., 83 Pac. 441, 1161, 1173
Bine v. Chicago, &c., R. Co., 95 Tex. 51, 621a
Bingham v. Lamping, 26 Pa. St. 240, 626, 1538
v. Lipman, 40 Ore. 363, 1802
v. Miller, 17 Ohio, 445, 40
v. Rogers, 6 Watts & S. (Pa.) 495, 1500, 1660
v. Rushing, 5 Ala. 403, 182
Binghamton B. Co., In re, 3 Wall. (U. S.) 51, 32, 968
Binicker v. Hannibal, &c., R. Co., 83 Mo. 660, 1200
Binion v. Georgia Southern, &c., R. Co., 111 Ga. 878, 1795
Binkert v. Wabash, &c., R. Co., 98 Ill. 205, 500
Binks v. South Yorkshire, &c., R. Co., 32 L. J. (N. S.) Q. B., 1249
Binney's Case, 2 Bland Ch. (Md.) 99, 955
Birch v. Cropper, 61 L. T. R. 621, 83, 85
Birch Cooley v. First National Bank, 86 Minn. 385, 832, 851
Bird v. Bird's Patent, &c., Co., L. R. 9 Ch. 358, 350
v. Brown, 4 Exch. 786, 1543
v. Calvert, 22 S. Car. 292, 179
v. Chicago, &c., R. Co., 137 Mass. 428, 94
v. Cromwell, 1 Mo. 81, 1486
v. Daggett, 97 Mass. 494, 351
v. Georgia R. Co., 72 Ga. 655, 1451, 1526, 1569, 1570
v. Great Eastern R. Co., 34 L. J. C. P. 366, 978, 1025
v. Randall, 3 Burr, 1353, 1775
v. Southern R. Co., 99 Tenn. 719, 1432, 1438, 1443a, 1446
v. Wilmington, &c., R. Co., 8 Rich. (S. Car.) Eq. 46, 954
Bird of Paradise, The, 5 Wall. 545, 1539, 1572
Birdsall v. Cary, 66 How. (N. Y.) 358, 972
v. Russell, 29 N. Y. 220, 485
Birdseye v. Schaeffer, 140 U. S. 117, 655
Birge v. Browning, 11 Wash. 249, 111a
v. Chicago, &c., R. Co., 65 Iowa, 440, 1001, 1020, 1023, 1055
v. Gardner, 19 Conn. 507, 1259
Birkenhead, &c., R. Co. v. Pilcher, 5 Ex. 24, 93
v. Webster, 6 Ex. 277, 134
Birlew v. St. Louis, &c., R. Co., 104 Mo. App. 561, 1142
Birmingham v. Alabama, &c., R. Co., 98 Ala. 134, 1082
Birmingham v. Klein, 89 Ala. 461, 781
v. Pettit (D. C.), 21 Wash. L. R. 115, 1288
v. Rochester City R. Co., 137 N. Y. 13, 1096ct
v. Rochester, &c., R. Co., 59 Hun, 583, 1586, 1587
Birmingham M. R. Co. v. Jacobs, 92 Ala. 187, 6
v. Smith, 89 Ala. 305, 1036, 1037
Birmingham R. Co. v. Mullen, 138 Ala. 614, 1638
Birmingham R., &c., Co. v. Baird, 130 Ala. 334, 1096dc, 1638
v. Birmingham Trac. Co., 128 Ala. 110, 1096b
v. Cunningham, 141 Ala. 470, 1096bl
v. Enslen, 144 Ala. 343, 1096bl, 1787
v. Jones, 41 So. 146, 1764
v. King, 42 So. 612, 1831
v. Mason, 144 Ala. 387, 1836
v. Moore, 42 So. 1024, 1759, 1843
v. Stable Co., 119 Ala. 615, 1096ci, 1096ce, 1764
v. Wise, 42 So. 821, 1578b
Birmingham St. R. Co. v. Railroad Co., 79 Ala. 465, 1096u
Birmingham So. R. Co. v. Lintner, 141 Ala. 420, 1165, 1822
Birmingham Traction Co. v. Electric Co., 119 Ala. 137, 1096c
Birmingham Trust, &c., Co. v. East Lake Land Co., 99 Ala. 379, 99
Birmingham Un. R. Co. v. Alexander, 93 Ala. 133, 1096cc
Birmingham, &c., Elec. Co. v. Baker, 132 Ala. 507, 1764
v. James, 121 Ala. 120, 1830
Birmingham, &c., R. Co., In re, L. R. 18 Ch. Div. 155, 184, 540
Birmingham, &c., R. Co., In re, 3 Am. & Eng. R. Cas. 616, 540
Birmingham, &c., R. Co. v. Adams, 40 So. 385, 1756, 1757
v. Alexander, 93 Ala. 133, 1177
v. Allen, 99 Ala. 359, 1335, 1345, 1347
v. Baylor, 101 Ala. 488, 1096bp, 1689d
v. Birmingham St. R. Co., 79 Ala. 465, 1077, 1080, 1096l, 1096q, 1096s
v. Birmingham, &c., R. Co., 119 Ala. 137, 1096be
v. Clarke (Ala.), 41 So. 829, 1096bs
v. Clay (Ala.), 19 So. R. 309, 1402, 1628, 1696
v. Cunningham, 14 Ala. 470, 329
v. Hale, 90 Ala. 8, 1644, 1689f, 1689l
v. Jacobs, 101 Ala. 149, 1300
v. Jacobs, 92 Ala. 187, 1096bp
v. James, 121 Ala. 120, 1096cy
v. Lintner, 141 Ala. 420, 1703
v. Locke, 1 Q. B. 256, 152, 153, 157
v. Mason, 137 Ala. 342, 1756
v. Parsons, 100 Ala. 662, 665, 668, 1180, 1183, 1198
v. Powell, 136 Ala. 232, 1096bp
v. Smith, 89 Ala. 305, 1036b
v. Wilmer, 97 Ala. 165, 1782, 1813
Birmingham, &c., St. R. Co. v. Birmingham St. R. Co., 79 Ala. 465, 1096q

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Birmingham, &c., Co. v. Brantley, 141 Ala. 614, 1096cq
v. Commonwealth, 92 Pa. St. 72, 98
v. Freeman, 15 Tex. Civ. App. 451, 602
Birney v. New York Telegraph Co., 18 Md. 341, 1576
v. Wabash, &c., R. Co., 20 Mo. App. 470, 1729
Birrell v. New York, &c., R. Co., 198 U. S. 390, 1057a
Bisaillon v. Blood, 64 N. H. 565, 1262
Bischoff v. People's R. Co., 121 Mo. 216, 1642
Biscoe v. Great Eastern R. Co., 16 L. R. Eq. 636, 1056
Bish v. Bradford, 17 Ind. 490, 600
v. Johnson, 21 Ind. 299, 325, 329
v. Stout, 77 Ind. 255, 860
Bishop v. Brainerd, 28 Conn. 289, 322, 325, 339, 606, 886
v. Bell City R. Co., 92 Wis. 139, 1096cl, 1096cn
v. Empire Transp. Co., 48 How. Pr. (N. Y.) 119, 1428, 1429
v. Globe, &c., Co., 135 Mass. 132, 92, 99, 101
v. Gulf, &c., R. Co., 75 S. W. 1086, 1184
v. Houghton, 1 E. D. Smith (N. Y.), 566, 318
v. McKillieau, 124 Cal. 321, 494, 568
v. Palmer, 146 Mass. 469, 383
v. Union R. Co., 14 R. I. 314, 1080, 1260
Bi-Spool, &c., Co. v. Acme, &c., Co., 153 Mass. 404, 283, 380
Bissel v. Price, 16 Ill. 408, 1420, 1451, 1570, 1709
Bissell v. Besson, 47 N. J. Eq. 580, 603
v. Campbell, 54 N. Y. 353, 1420
v. Canada, &c., R. Co., 39 Fed. R. 225, 650
v. Jeffersonville, 24 How. (U. S.) 287, 843, 865, 898
v. Kankakee, 64 Ill. 249, 831, 913
v. Michigan, &c., R. Co., 22 N. Y. 258, 27, 228, 259, 337, 368, 369, 463, 493, 801, 1434
v. New York, &c., R. Co., 25 N. Y. 442, 1478, 1605, 1645
v. Spring Valley Township, 124 U. S. 225, 908
v. Spring Valley Twp., 110 U. S. 162, 349
Bissit v. Kentucky River Nav. Co., 15 Fed. R. 353, 180, 618
Bisson v. Curry, 25 Iowa, 72, 556
Bitner v. Utah, &c., R. Co., 4 Utah, 502, 1153
Bitting v. Ten Eyck, 85 Ind. 357, 538, 559
Bittinger v. Bell, 65 Ind. 445, 820, 852, 872, 893a
Bittner v. Crosstown St. R. Co., 153 N. Y. 76, 1096ce, 1096cl, 1096cl
Bixby v. Goss, 54 Mich. 551, 1054
Bjbjian v. Woonsocket, &c., Co., 164 Mass. 214, 1283
Bjiornquist v. Boston, &c., R. Co., 185 Mass. 130, 1255
Bjork v. Illinois, &c., R. Co., 85 Ill. App. 269, 1179l
Black's Appeal, 83 Mich. 513, 605
Black v. Aberdeen, &c., R. Co., 115 N. Car. 667, 1226
v. Ashley, 80 Mich. 90, 1519, 1522
v. Baxendale, 1 Exch. 410, 1730
v. Boston El. R. Co., 187 Mass. 172, 1096cw, 1635, 1644, 1689g
v. Brooklyn City R. Co., 108 N. Y. 640, 1096cy
v. Burlington, &c., R. Co., 38 Iowa, 515, 1093, 1096ck, 1153
v. Camden, &c., R. Co., 45 Barb. (N. Y.) 40, 226, 1737
v. Carrollton, &c., R. Co., 10 La. Ann. 33, 1800, 1821
v. Chicago, &c., R. Co., 30 Neb. 197, 1455, 1546
v. Cohen, 52 Ga. 621, 843
v. Delaware, &c., Co., 22 N. J. Eq. 130, 67, 70, 163, 252, 281, 385, 447, 488, 608, 790, 958, 1096ad
v. Delaware, &c., Co., 24 N. J. Eq. 455, 43, 45, 67, 322, 325, 325a
v. Goodrich, &c., Co., 55 Wis. 319, 1454, 1498, 1505, 1718
v. Homersham, L. R. 4 Exch. Div. 24, 305, 306
v. Mayor of Baltimore, 50 Md. 235, 1031, 1033
v. Michigan Cent. R. Co., 109 N. W. 1052, 1260
v. Minneapolis, &c., R. Co., 122 Ia. 32, 1239
v. Missouri Pac. R. Co., 172 Mo. 177, 1315e
v. Ottoman Bank, 15 Moore P. C. 472, 232
v. Philadelphia, &c., R. Co., 58 Pa. St. 249, 4, 930, 1076
v. St. Louis, &c., R. Co., 110 Mo. App. 198, 3
v. Third Ave. R. Co., 37 N. Y. S. 830, 1402
v. Wabash, &c., R. Co., 111 Ill. 351, 364, 1512
v. Zacherie & Co., 3 How. (U. S.) 483, 98
Blackburn v. Blackburn, 142 Fed. 901, 656a
v. Selma, &c., R. Co., 2 Flip. 525, 515, 554, 619
v. Southern Pac. Co., 34 Ore. 215, 1167, 1179
Blackett v. Royal Exchange Co., 2 Cromp. & J. 244, 1423
Black Hills, &c., R. Co. v. Tacoma, &c., Co., 129 Fed. 312, 1048, 1049a
Blackman v. Central R. Co., 58 Ga. 189, 167
v. Gardiner, &c., Co., 75 Me. 214, 1808
v. Lehman, 63 Ala. 547, 882
v. Pierce, 23 Cal. 508, 1539
v. Southern R. 10 I. C. C. 352, 1684i
Blackmore v. Missouri Pac. R. Co., 162 Mo. 455, 1652
v. Toronto, &c., R. Co., 38 Up. Can. Q. B. 172, 1250
Black River Imp. Co. v. Holway, 85 Wis. 344, 257, 347
Black River Lumber Co. v. Warner, 93 Mo. 374, 1062
Black River, &c., R. Co. v. Barnard, 9 Hun (N. Y.), 104, 996, 1036
v. Barnard, 31 Barb. (N. Y.) 258, 20
v. Clarke, 25 N. Y. 208, 106

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Blackshere v. Patterson, 72 Fed. 204, 1560
Blackshire v. Atchison, &c., R. Co., 13 Kan. 514, 986, 1050, 1051, 1053
Blackstock v. New York, &c., R. Co., 20 N. Y. 48, 1459
Blackstone v. Central of Ga. R. Co., 105 Ga. 380, 1766
Blackwell v. Lynchburg, &c., R. Co., 107 N. Car. 217, 649
v. Lynchburg, &c., R. Co., 111 N. Car. 151, 1057, 1153
v. Old Colony St. R. Co. (Mass.) 79 N. E. 335, 1096cp
v. St. Louis, &c., R. Co., 47 La. Ann. 268, 1164, 1165, 1171
Blade v. Chicago, &c., R. Co., 10 Wis. 4, 1420
Blaechinska v. Howard Missouri, &c., 130 N. Y. 497, 1808
Blain v. Taylor, 19 Abb. Pr. 228, 420
Blaine v. Chesapeake, &c., R. Co., 9 W. Va. 252, 1180, 1181, 1209
v. Curtis, 59 Vt. 120, 710
Blair v. Buttolph, 72 Iowa, 31, 119, 127
v. Chicago, 201 U. S. 400, 75, 335a, 1081, 1096l, 1096n, 1096p
v. Chicago, &c., R. Co., 89 Mo. 334, 1820
v. Corby, 29 Mo. 480, 1061
v. Cuming County, 111 U. S. 363, 814
v. Erie, &c., R. Co., 66 N. Y. 313, 1578
v. Erie, &c., R. Co., 15 N. Y. 444, 1578
v. Heibel, 103 Mo. App. 621, 1283
v. Milwaukee, &c., Co., 20 Wis. 254, 670b, 1181, 1182, 1183, 1191, 1193, 1194, 1270, 1586
v. Newbegin, 65 Ohio St. 425, 189
v. Pelham, 118 Mass. 420, 1177
v. Perpetual Ins. Co., 10 Mo. 559, 22, 233, 398
v. Railroad Co., 66 N. Y. 313, 1578a
v. St. Louis, &c., R. Co., 20 Fed. R. 348, 585
v. St. Louis, &c., R. Co., 22 Fed. R. 471, 528
v. St. Louis, &c., R. R. Co., 22 Fed. R. 36, 535
v. St. Louis, &c., R. R. Co., 23 Fed. R. 521, 528
v. St. Louis, &c., R. R. Co., 23 Fed. R. 524, 487, 502
v. St. Louis, &c., R. Co., 24 Fed. R. 148, 336
v. St. Louis, &c., R. Co., 25 Fed. R. 684, 266, 526
v. St. Louis, &c., R. Co., 25 Fed. R. 232, 515, 530, 1072
v. St. Louis, &c., R. Co., 27 Fed. R. 176, 1701
Blair, &c., Co. v. Walker, 50 Iowa, 376, 275
Blais v. Minneapolis, &c., R. Co., 34 Minn. 57, 1198
Blaisdell v. Citizens Nat. Bank, 96 Tex. 626, 1429a
v. Connecticut, &c., R. Co., 145 Mass. 132, 1464
v. Portsmouth, &c., R. Co., 51 N. H. 483, 948, 949
Blaisdell v. Winthrop, 118 Mass. 138, 1055
Blake v. Brown, 80 Iowa, 277, 120
v. Buffalo Creek R. Co., 56 N. Y. 485, 274, 275, 1058
v. Burlington, 89 Ia. 8, 1631
v. Burlington, &c., R. Co., 78 Iowa, 57, 1631
v. County Commissioners, 114 Mass. 583, 1017
v. Ferris, 5 N. Y. 48, 213, 1063
v. Kansas City, &c., R. Co., 85 S. W. 430, 1618
v. Maine, &c., R. Co., 70 Me. 60, 1292, 1316
v. McClung, 172 U. S. 239, 30
v. Macon, 53 Ga. 172, 835
v. Midland Ry. Co., 10 Eng. Law & Eq. 437, 1367, 1372
v. Midland R. Co., 18 Q. B. 93, 1361, 1375, 1378, 1378a
v. Portsmouth, &c., R. R. Co., 39 N. H. 435, 611
v. Williams, 6 Pick. (Mass.) 286, 599
Blakely v. Chicago, &c., R. Co., 34 Neb. 284, 977
v. Chicago, &c., R. Co., 46 Neb. 272, 931, 938
v. Chicago, &c., R. Co., (Neb.) 64 N. W. R. 972, 938
v. Chicago, &c., R. Co., 25 Neb. 207, 1037
v. Moshier, 94 Mich. 299, 1075
Blakeney v. Dufaur, 15 Beav. 40, 558, 561, 584
Blakeslee v. Consolidated St. R. Co., 112 Mich. 63, 1096ch
Blakesly v. Caywood, 4 Ore. 279, 796
Blalock v. Kernersville, &c., Co., 110 N. Car. 99, 604
Blamires v. Lancashire, &c., R. Co., 42 L. J. Eq. 182, 1587
Blanchard v. Detroit, &c., R. Co., 31 Mich. 43, 935, 936, 939, 945
v. Isaacs, 3 Barb. (N. Y.) 388, 1407, 1411, 1412
v. Kaull, 44 Cal. 440, 16
v. Lake Shore, &c., R. Co., 126 Ill. 416, 1154, 1155, 1248, 1264, 1698
v. Page, 8 Gray, 281, 1431, 1559, 1692
Blanchard's Gun Stock, &c., Factory v. Warner, 1 Blatchf. (U. S.) 258, 933
Blanchet v. Powell's Collieries Co., 9 L. R. Ex. 74, 1420
Blanchette v. Holyoke, St. R. Co., 175 Mass. 51, 1096cw
Bland v. Adams, &c., Co., 1 Duvall 232, 1458
v. Southern Pac. R. Co., 55 Cal. 570, 1603, 1637 1661
Blanding v. Davenport, &c., Co., 88 Iowa, 225, 295, 355
Blaney v. Electric Trac. Co., 184 Pa. St. 542, 1096cj
Blanford v. Minneapolis &c., R. Co., 71 Ia. 310, 1193
Blank v. Illinois Cent. R. Co., 182 Ill. 332, 1625a, 1645
v. Illinois Cent. R. Co., 80 Ill. App. 475, 1625a
Blankenship v. Chesapeake &c., R. Co., 94 Va. 449, 1257
Blanton v. Board of Commissioners, 101 N. Car. 532, 906
v. Dodd, 109 Mo. 64, 1378c

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Blanton v. Richmond, &c., R. Co., 86 Va. 618, 42, 923
Blaschko v. Wurster, 156 N. Y. 437 1096l, 1096l
Blatchford v. Ross, 5 Abb. Pr. R. (N. S.) 434, 252, 322
v. Ross, 54 Barb. (N. Y.) 42, 325
Blate v. Third Ave. R. Co., 29 App. Div. (N. Y.) 388, 1809
Blatt v. McBarron, 161 Mass. 21, 1248
Bledsoe v. Grand Trunk R. Co., 126 Mich. 312, 1258
Bleecker v. Satsop R. Co., 3 Wash. 77, 1408
Blen v. Bear River, &c., Co., 20 Cal. 602, 283, 285
Blesch v. Chicago, &c., R. Co., 43 Wis. 183, 1049
Blessing v. St. Louis, &c., R. Co., 77 Mo. 410, 1322
Blewett v. Tregonning, 3 Adolph. & E. 1002, 947
v. Wyandotte, &c., R. Co., 72 Mo. 583, 1214
Bligh v. Biddeford R. Co., 94 Me. 499. 1361a
Blight v. Camden, &c., R. Co., 143 Pa. St. 10, 1164, 1170
v. Page, 3 Bosanquet & P. 295, 1473
Blincoe v. Choctaw &c., R. Co., 16 Okla. 286, 995
Blindell v. Hagan, 54 Fed. R. 40, 633, 1688
Bliss v. Hosmer, 15 Ohio 44, 959
v. Kaweah, &c., Co., 65 Cal. 502, 235, 283, 285
v. Matteson, 45 N. Y. 22, 274, 275, 535
v. New York, &c., R. Co., 160 Mass. 447, 1377
Blitch v. Central of Georgia, &c., R. Co., 122 Ga. 711, 1236
Bliven v. Hudson R. R. Co., 36 N. Y. 403, 1426, 1461, 1537
Blize v. Castilo, 8 Mo. App. 290, 1053
Blochl v. People, 220 Ill. 444, 1096ab
Block v. Atchison, &c., R. Co., 21 Fed. R. 529, 621
v. Commissioners, 99 U. S. 686, 897, 898, 900, 918
v. Fitchburgh R. Co., 139 Mass. 308, 1436, 1445
v. Milwaukee, &c., R. Co., 89 Wis. 371, 1584, 1800
Blodgett v. Abbot, 72 Wis. 516, 303, 1432, 1449, 1720
v. Bartlett, 50 Ga. 353, 1628, 1628c, 1630
v. Utica, &c., R. Co., 64 Barb. (N. Y.) 580, 1005, 1049, 1050, 1055
v. Worcester &c., R. Co. (Mass.) 78 N. E. 222, 1096bf
Blomquist v. Chicago, &c., R. Co., 60 Minn. 423. 1329
v. Great Northern R. Co., 65 Minn. 69, 1344, 1355
Blondheim v. Moore, 11 Md. 365 540, 556
Blood v. La. Serena &c., Co., 113 Cal. 221, 491
v. Nashua, &c., R. Co., 2 Gray (Mass.), 137, 976
Bloodgood v. Clark, 4 Paige 574, 548
v. Mohawk, &c., R. Co., 18 Wend. (N. Y.) 9. 950, 952, 953, 982
Bloodgood v. Mohawk, &c., R. Co., 14 Wend. (N. Y.) 52, 960
Bloom v. Burdick, 1 Hill 130, 73, 684
v. Richards, 2 Ohio St. 387, 1668
Bloomfield v. Burlington, &c., R. Co., 74 Iowa, 607, 1166
Bloomfield R. Co. v. Grace, 112 Ind. 128, 959, 1008, 1063
Bloomfield, &c., Co. v. Richardson, 63 Barb. (N. Y.) 437, 952
Bloomfield, &c., R. Co. v. Van Slike, 107 Ind. 480, 1049
Bloomingdale v. Memphis, &c., R. Co., 6 Lea, 616, 1539, 1542
Bloomington v. Chicago, &c., R. Co., 134 Ill. 451, 782, 786
v. Illinois Central R. Co., 154 Ill. 539, 1114e
Bloomington, &c., R. v. Zimmerman, 101 Ill. App. 184, 1096cy
Blossom v. Champion, 37 Barb. (N. Y.) 554, 1426
v. Dodd, 43 N. Y. 264, 1502, 1661
v. Griffin, 13 N. Y. 569, 1409, 1443, 1502
v. Milwaukee, &c., R. Co., 1 Wall. (U. S.) 655, 515, 518
v. Railroad Co., 3 Wall. (U. S.) 196, 524
v. Smith, 3 Blatchf. (U. S. C. C.) 316, 1522
Blount v. Grand Trunk, &c. R. Co., 61 Fed. R. 375, 1171, 1179, 1179b
Blower v. Great Western Ry. Co., L. R. 7 C. P. 655, 1466, 1545, 1546
Bloxham v. Florida, &c., R. Co. (Fla.), 17 So. R. 902, 329, 748
v. Metropolitan R. Co., L. R. 3 Ch. App. Cas. 337, 316, 317
v. Consumers, &c., Co., 36 Fla. 519, 6
Bloyd v. St. Louis, &c., R. Co., 58 Ark. 66, 1329
Blue v. Aberdeen, &c., R. Co., 117 N. Car. 644, 968a, 1226
Blue Earth v. St. Paul, &c., R. Co., 28 Minn. 503, 985, 994, 996, 998
Bluegrass, &c. Co., v. Luthy, 98 Ky. 583, 1731
Blum v. Houston, &c., R. Co., 31 Tex. Civ. App. 526, 804
v. Marks, 21 La. Ann. 268, 1539
v. Monahan, 36 Misc. (N. Y.) 179, 1718
v. Southern, &c., Co., 3 Cent. L. J. 591, 1622, 1623, 1627
v. Southern, &c., Co., 1 Flippin (U. S.), 500, 1616, 1622
v. The Caddo, 1 Woods, 64, 1692
Blumantle v. Fitchburg R. Co., 127 Mass. 322, 1649
Blumb v. City of Kansas, 84 Mo. 112, 1063
Blumenthal v. Brainerd, 38 Vt. 402, 573, 576, 1393, 1500, 1501
v. Boston, &c., R. Co., 97 Me. 255, 1179
v. Maine, &c., R. Co., 79 Me. 550, 1649, 1656
v. Railway Co., 84 Fed. 920, 1690
Blunt v. Carpenter, 68 Iowa, 265, 872
v. Grand Trunk, &c., R. Co., 61 Fed. R. 375, 1166
v. Walker, 11 Wis. 334, 103, 110, 393
Bly v. Nashua St. R. Co., 67 N. H. 474, 1096p, 1096aa, 1096ce
Blyth v. Birmingham, &c., Co., 11 Exch. 781, 1584

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Blythe v. Denver, &c., R. Co., 15 Colo. 333, 1455
Board v. Chesapeake, &c., Railroad, 94 Ky. 377, 851, 893
v. Coler, 113 Fed. 705, 835
v. DeKay, 148 U. S. 591, 1096l
v. Deposit Bank, &c., Co., 124 Fed. 18, 62
v. Johnson, 66 Miss. 248, 1003b
v. Montgomery, 106 Ind. 517, 874a
v. South Bend, &c., Co., 118 Ind. 68, 1096l
v. Spitler, 13 Ind. 235, 821
v. Travelers Ins. Co., 128 Fed. 817, 886, 906, 915
Board, &c., v. Alabama, &c., R. Co., 59 Ala. 551, 741
v. Alabama, &c., R. Co., 4 Interst. Com. 348, 1686
v. Aspinwall, 24 How. (U. S.) 376, 918
v. Bacon, 96 Ind. 31, 1278
v. Bolton, 104 Ill. 220, 819
v. Bright, 18 Ind. 93, 820, 843
v. Bunting, 111 Ind. 143, 40
v. Center Township, 105 Ind. 422, 18, 841
v. Chicago, &c., R. Co., 14 Ill. 314, 1121
v. Chicago, &c., R. Co., 44 Ill. 229, 741
v. East Tennessee, &c., R. Co., 5 Interst. Com. Com. 546, 1684
v. Fullen, 111 Ind. 410, 783
v. Hall, 70 Ind. 469, 20, 48, 54
v. Harrell, 147 Ind. 500, 736
v. King, 67 Fed. R. 202, 918
v. Labore, 37 Kan. 480, 992
v. Lafayette, &c., R. Co., 50 Ind. 85, 165, 228, 372, 376, 385, 430, 434, 448, 479
v. Legg, 110 Ind. 479, 1378
v. Louisville, &c., R. Co., 39 Ind. 192, 820, 856, 863, 874
v. Lucas, 93 U. S. 108, 868
v. McClintock, 51 Ind. 325, 827, 844, 876
v. Magoon, 109 Ill. 142, 1034, 1054
v. Montgomery, 106 Ind. 517, 820
v. Pearson, 129 Ind. 456, 1177
v. Pullman Co., 60 Fed. R. 37, 751, 1618
v. Reynolds, 44 Ind. 509, 93, 291
v. Scearce, 2 Duv. 576, 1360, 1361
v. South Bend, &c., Co., 118 Ind. 68, 1077
v. State, 86 Ind. 8, 820
v. State, 109 Ind. 596, 820
v. State, 115 Ind. 64, 123, 126, 325, 820, 835, 861, 863, 886
v. Taylor, 99 N. C. 210, 782
v. Texas, &c., R. Co., 46 Tex. 316, 836, 882, 915
Board of Carroll Co. v. O'Connor, 137 Ind. 622, 1060
Board of Commissioners, Matter of, 52 N. Y. 131, 1028
Board of Com'rs Onslow Co. v. Tollman, 145 Fed. 753, 913, 918a
Board of Education v. Aldredge, 13 Okla. 205, 1019
Board of Health v. Van Hoesen, 87 Mich. 533, 950
Board of Levee Commissioners v. Harkleroads, 62 Miss. 807, 987
v. Johnson, 66 Miss. 248, 1001
Board of R. Com'rs v. Market St. R. Co., 132 Cal. 677, 1096bp
v. Oregon, &c., R. Co., 17 Ore. 65, 674, 676, 684
v. Symns, &c., Co., 53 Kan. 207, 703
Board of Supervisors v. Gorrell, 20 Gratt. (Va.) 484, 954, 970
v. McFadden, 57 Miss. 618, 964
v. Mississippi, &c., R. R. Co., 21 Ill. 338, 45, 836
Boardman v. Cutter, 128 Mass. 388, 92
v. Lake Shore, &c., R. R. Co., 84 N. Y. 157, 81, 83, 86, 305, 311, 314, 332, 334, 339, 606
v. Thompson, 25 Iowa, 487, 383
Boatman's Saving Bank v. Western, &c., Co., 81 Ga. 221, 1426, 1428, 1523
Boatwright v. Chester, &c., Elec. R. Co., 4 Pa. Super. Ct. 279, 1096cn
v. Northeastern, &c., R. Co., 25 S. C. 128, 1282
Boaz v. Central, &c., Co., 87 Ga. 463, 1550, 1553, 1555, 1693
Bobb v. Union Trac. Co., 206 Pa. St. 265, 1315h
Bobbett v. State, 10 Kan. 9, 643
Boca, &c., R. Co. v. Sierra Valley R. Co., 84 Pac. 298, 957
Bock v. Perkins, 28 Fed. 123, 495
Bockes v. Hathorn, 20 Hun (N. Y.), 503, 487
Bockover v. Life Assn., 77 Va. 85, 555, 570
Bocock v. Alleghany, &c., Co., 82 Va. 913, 192, 213
Bodenham v. Bennett, 4 Price, 31, 1517
Bodfish v. Bodfish, 105 Mass. 317, 938
Bodie v. Carolina Midland R. Co. (S. C.) 24 S. E. R. 180, 1628
v. Charleston, &c., R. Co., 61 S. Car. 468, 1773
v. Charleston, &c., R. Co., 66 S. Car. 302, 1796
Bodine v. Exchange Fire Ins. Co., 51 N. Y. 117, 212
Bodton, &c., Exch. v. New York, &c., R. Co., 3 Interst. Com. 493, 1686
Boehl v. Chicago, &c., R. Co., 44 Minn. 191, 1546, 1548, 1549, 1557
Boehm v. Duluth, &c., R. Co., 91 Wis. 592, 1637, 1823, 1830, 1837
v. Duluth, &c., R. Co., 91 Wis. 592, 1637, 1823
Boering v. Chesapeake, &c., R. Co., 193 U. S. 442, 1378c, 1607
v. Chesapeake, &c., R. Co., 20 App. D. C. 500, 1608
Boerth v. West Side R. Co., 87 Wis. 288, 1095
Boerum v. Schenck, 41 N. Y. 182, 275
Bogan v. Carolina Cent. R. Co., 129 N. C. 154, 1175, 1257
v. Edinburgh, &c., Co., 63 Fed. 192, 809
Bogart v. Delaware, &c., R. Co., 145 N. Y. 283, 1271
Bogenschutz v. Smith, 84 Ky. 330, 1697
Boggess v. Chesapeake, &c., R. Co., 37 W. Va. 297, 1578
Boggs v. Adger, 4 Rich. Eq. (S. C.) 408, 94
v. Chicago, &c., Railway Co., 54 Iowa, 435, 699, 1106, 1111, 1143, 1145
v. Martin, 13 B. Mon. (Ky.) 239, 1558, 1572, 1709
Bohan v. Milwaukee, &c., R. Co., 61 Wis. 391, 1158, 1162

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bohan v. Milwaukee, &c., R. Co., 58 Wis. 30, 1162
Bohannan v. Hammond, 42 Cal. 227, 1454
Bohlen's Estate, 75 Penn. St. 304, 94
Bohlman v. Green Bay, &c., R. Co. 30 Wis. 105, 1049, 1050
v. Green Bay, &c., R. Co., 40 Wis. 147, 1018, 1049
Bohmer v. City Bank, 77 Va. 445, 99, 101
v. Haffen, 161 N. Y. 390, 34, 323, 337, 1096bl
Bohn v. Brown, 33 Mich. 257, 185
v. Chicago, &c., R. Co., 106 Mo. 429, 1301a, 1697
Bohn v. Metropolitan Elev. R. Co., 129 N. Y. 576, 1056a
Bohn, &c., Co. v. Erickson, 55 Fed. 943, 1288, 1291
Bohn Mfg. Co. v. Hollis, 54 Minn. 223, 633
Bolce v. Hudson River R. Co., 61 Barb. (N. Y.) 611, 1593, 1598
Boles v. Hartford, &c., R. Co., 37 Conn. 272, 1516, 1711
Bolkens v. New Orleans, &c., R. Co., 48 La. Ann. 831, 1377, 1402
Boing v. Raleigh, &c., R. Co., 87 N. Car. 360, 1214, 1218
Bolsen v. Cobbs Co., 111 N. W. 82, 1632
Boland v. Missouri R. Co., 36 Mo. 484, 1096ce
Bolden v. Southern R. Co., 123 N. Car. 614, 1271
Bolin v. Chicago, &c., R. Co., 108 Wis. 333, 1250
v. Southern R. Co., 65 S. Car. 222, 1762
Boling v. St. Louis, &c., R. Co., 189 Mo. 219, 1593, 1594a, 1596, 1597, 1598, 1823
Bolinger v. St. Paul, &c., R. Co., 36 Minn. 418, 1157, 1361
Bolivar v. Pittsburg &c., R. Co., 179 N. Y. 523, 1108
Bolles v. Brimfield, 120 U. S. 759, 843, 847
v. Duff, 35 How. Pr. (N. Y.) 481, 549
v. Perry Co., 92 Fed. 479, 883
Bolling v. Le Grand, 87 Ala. 482, 18
Bollinger v. Texas, &c., R. Co., 47 La. Ann. 721, 1255
Bolman v. Lohman, 79 Ala. 63. 505
Bolt & Iron Co., In re, 14 Onta. 211, Am. & Eng. Corp. Cas. 165, 272
Bolte v. Third Ave. R. Co., 38 App. Div. (N. Y.) 234, 1772
Bolton v. Lancashire, &c., R. Co., 1 L. R. C. P. 431, 1543
v. McShane, 67 Iowa, 207, 1049
v. Pennsylvania R. Co., 88 Pa. St. 261, 627
Bomar v. Louisiana, &c., R. Co. 42 La. Ann. 983, 1279, 1313
v. Maxwell, 9 Humph. (Tenn.) 620, 1647, 1649
Bommer v. American Spiral, &c., Co., 81 N. Y. 468, 14
Bonaparte v. Baltimore, &c., R. Co., 75 Md. 340, 630
v. Camden, &c., R. Co., Bald. (U. S.) 205, 649, 925, 954, 960, 961, 979, 1012, 1049
Bonce v. Dubuque, &c., R. Co., 53 Iowa, 278, 1399, 1402
Bond v. Barrow &c. Co., 1 Ch. 353, 312, 316
Bond v. Chicago, &c., R. Co., 99 S. W. 30, 1628
v. Evansville, &c., R. Co., 100 Ind. 301, 1188, 1198, 1200, 1209
v. New York, &c., R. Co., 69 Hun, 476, 1171
v. Pennsylvania Co. 171 Ill. 508, 1088
v. Smith, 113 N. Y. 378, 1701
v. State, 68 Miss. 648, 587
v. Terre Haute, &c., R. Co., 100 Ind. 301, 1188
v. Wabash, &c., R. Co., 67 Iowa, 712, 710
Bondurant v. Watson, 103 U. S. 281, 646
Bonfiglio v. Lake Shore, &c., R. Co., 125 Mich. 476, 1516, 1716
Bonham v. Citizens St. R. Co., 158 Ind. 106, 1096ad, 1096af
v. Columbia, &c., R. Co., 26 S. Car. 353 641, 720
Bonn v. Galveston, &c., R. Co., 82 S. W. 808, 1288
Bonnell v. Delaware, &c., R. Co., 39 N. J. Law, 189, 1166, 1168
v. Jewett, 24 Hun, 524, 1373
v. State, 64 Ind. 498 211
Bonner v. Blum, 25 S. W. 60, 1647
v. Bryant, 79 Tex. 540, 1305
v. DeMendoza, 16 S. W. 976, 1652a
v. Franklin Co-op. Ass'n, 4 Tex. Civil App. 166, 709
v. Grumbach, 2 Tex. Civ. App. 482, 1654
v. Hickey, 23 S. W. 85, 1272
v. Marsh, 10 Smed. & M. (Miss.) 376, 1414, 1692
v. Mayfield, 82 Tex. 234, 577
v. Mendoza, 4 Tex. App. (Civ. Cas.) 392, 1654
v. New Orleans, 2 Woods (U. S.), 135, 480
v. Spiral Hinge Mfg. Co., 81 N. Y. 468, 352
v. Wingate, 78 Tex. 333, 1584
Bonner & Eddy Receivers v. Glenn, 79 Tex. 531, 1629
Bonnett v. First National Bank, 24 Tex. Civ. App. 613, 322
v. Galveston, &c., R. Co. (Tex.) 33 S. W. R. 334, 1290, 1378
Bontwell v. Townsend, 37 Barb. (N. Y.) 205, 1065
Bonwell v. Barnhart, 96 Ga. 521, 1378b
Boody v. Rutland, &c., R. Co., 24 Vt. 660, 1058
Booe v. Junction R. Co., 10 Ind. 93, 325
Booher v. Perrill (Ind.), 49 N. E. 36, 564
Booker, Ex Parte, 18 Ark. 338, 169
Booker v. Booker, 208 Ill. 529, 226
v. Venice, &c., R. Co., 101 Ill. 333, 973, 995, 1003b, 1053
Boom Co. v. Patterson, 98 U. S. 403, 649, 950, 952, 953, 961, 979, 994, 1019, 1036
Boone v. Clark, 129 Ill. 466, 941
v. Wabash, &c., R. Co., 20 Mo. App. 232, 1689c
Boorman v. American Ex. Co., 21 Wis. 153, 1417, 1501, 1510
Booth v. Boston, &c., R. Co., 73 N. Y. 38, 133b, 1287
v. Bunce, 33 N. Y. 139, 535

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Booth v. Clark, 17 How. (U. S.) 321, 554, 555, 568, 570
v. Davis, 127 Fed. 875, 1674
v. Robinson, 55 Md. 419, 95
v. Rome, &c., R. Co., 17 N. Y. Supp. 336, 1063
v. Rome, &c., R. Co., 63 Hun, 624, 1064
v. Rome, &c., R. Co., 140 N. Y. 267, 631, 1057
v. Union, &c., R. Co., 126 Ia. 8, 1096bo, 1252
Boothby v. Androscoggin, &c., R. Co., 51 Me. 318, 976, 977, 1004, 1057
v. Grand Trunk R. Co. (N. H.) 34 Atl. 157, 1641
Borda v. Philadelphia, &c., R. Co., 141 Pa. St. 484, 1565
Bordeaux v. Erie, &c., R. Co., 8 Hun (N. Y.), 579, 1603
Borden v. Richmond, &c., Co., 113 N. C. 570, 303
v. Southside R. Co., 5 Hun (N. Y.), 184, 948
Bordentown v. Imlay, 4 N. J. L. 285, 108
Bordentown, &c., Co. v. Flanagan, 41 N. J. L. 115, 1695
Bordentown, &c., T. Co. v. Camden, &c., R. Co., 17 N. J. L. 314, 41, 996
Borders v. Murphy, 78 Ill. 81, 940
Borgman v. Omaha, &c., R. Co., 41 Fed. R. 667, 1316, 1319, 1329
Bork v. United N. J., &c., Co., 70 N. J. L. 268, 949, 1087
Borland v. Haven, 37 Fed. R. 394, 185, 186, 276, 702
v. Mississippi, &c., R. Co., 8 Iowa, 148, 1027
v. Nevada Bank, 99 Cal. 89, 218
Borneman v. Chicago, &c., R. Co., 104 N. W. 208, 1205, 1825
Borrough v. Norwich, &c., R. Co., 100 Mass. 26, 1445
Borst v. Lake Shore, &c., R. Co., 66 N. Y. 639, 1264
Bosanquet v. Shortridge, 4 Exch. 699, 256
Bosch v. Burlington, &c., R. Co., 44 Ia. 402, 1799
Boscowitz v. Adams, &c., Co., 93 Ill. 523, 1453, 1475, 1478, 1510, 1723, 1725
Bosher v. Richmond, &c., Co., 89 Va. 455, 10, 128, 132
Boskowitz v. Adams Express Co., 5 Cent. L. Jour. 58, 1421
Bosley v. Baltimore, &c., R. Co., 54 W. Va. 563, 1483, 1553, 1511, 1719, 1720, 1727
Boson v. Sandford, 2 Salk. 440, 1468
Bosqui v. Sutro R. Co., 131 Cal. 390, 1096cr
Boss v. Providence, &c., R. Co., 15 R. I. 149, 1585
Bossout v. Rome, &c., R. Co., 57 Hun, 589, 1300
Boster v. Chesapeake, &c., R. Co., 36 W. Va. 318, 1576
Bostock v. North Staffordshire, &c., R. Co., 5 DeG. & S. 584, 392
Boston v. Boston, &c., R. Co., 170 Mass. 95, 786
v. Brines Chase Co., 175 Pa. St. 209, 561
v. Brookline, 156 Mass. 172, 966
v. Richardson, 13 Allen. Mass. 146, 1077, 1096l
Boston El. R. Co. v. Presho, 174 Mass. 99, 1011
Boston Gas-Light Co. v. Old Colony R. Co., 14 Allen (Mass.), 444, 963
Boston Glass Mfg. Co. v. Langdon, 24 Pick. (Mass.) 49, 601, 606, 608
Boston Safe Deposit & T. Co. v. Bankers' & M. T. Co., 36 Fed. 288, 497, 498
Boston Water Power Co. v. Boston, &c., R. Co., 16 Pick. (Mass.) 512, 977
v. Boston, &c., R. Co., 23 Pick. (Mass.) 360, 74, 964, 967, 970, 974
Boston, &c., R. Co., In re, 31 Hun (N. Y.), 461, 992
Boston, &c., R. Co., In re, 5 Interst. Com. 69, 1612
Boston, &c., R. Co., In re, 79 N. Y. 64, 966, 975, 1013a, 1116, 1117, 1119, 1121, 1124
Boston, &c., R. Co., In re, 53 N. Y. 574, 74, 923, 954, 960, 966, 967, 973, 974, 1104
Boston, &c., R. Co., In re, 3 Int. Com. 717, 1612
Boston, &c., R. Co., In re, 3 Blatch. (U. S.) 101, 610
Boston, &c., R. Co., In re, 22 Hun, 176, 994, 1036
Boston, &c., R. Co. v. Babcock, 3 Cush. 228, 422, 933, 935
v. Bartlett, 10 Gray (Mass.), 384, 935
v. Boston, &c., Co., 1 Interst. Com. Com. 158, 1682
v. Boston, &c., R. R. Co., 5 Cush. (Mass.) 375, 32
v. Boston, &c., R. Co., 65 N. H. 393, 450, 452, 453, 479, 519, 521, 542, 546
v. Brown, 15 Gray (Mass.), 223, 1708
v. Cambridge, 159 Mass. 283, 671a, 1103, 1127
v. Cambridge, 166 Mass. 224, 966
v. Chesapeake, &c., R. Co., 76 Va. 180, 1071, 1072
v. Chipman, 146 Mass. 107, 1597
v. Coffin, 50 Conn. 150, 495, 497, 508
v. Commissioners, 79 Me. 386, 660, 663, 671, 1102, 1103
v. Commonwealth, 100 Mass. 399, 307, 313
v. County Comm'rs., 79 Me. 386, 671a, 1098
v. County of Middlesex, 1 Allen (Mass.), 324, 1103, 1127
v. Folsom, 46 N. H. 64, 1022, 1054
v. Gilmore, 37 N. H. 410, 31, 389, 497, 520, 624
v. Gokey, 149 Fed. 42, 1269
v. Graham, 179 Mass. 62, 439
v. Greenbush, 52 N. Y. 510, 1102, 1104
v. Hurd, 108 Fed. 116, 1366
v. Lowell, &c., R. Co., 124 Mass. 368, 921, 927, 974, 1121
v. McDuffey, 79 Fed. 934, 1339
v. Midland R. Co., 1 Gray (Mass.), 340, 919, 958
v. Montgomery, 119 Mass. 114, 1037
v. Nashua, &c., R. Co., 139 Mass. 463, 618
v. New York, &c., R. Co., 13 R. I. 260, 228, 325, 328, 335, 441, 608

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Boston, &c., R. Co. v. New York, &c., R. Co., 12 R. I. 220, 546, 549
v. Old Colony, &c., R. Co., 3 Allen (Mass.), 142, 994, 1036, 1038, 1127
v. Old Colony R. Co., 12 Cush. (Mass.) 605, 976, 996, 1127
v. Ordway, 140 Mass. 510, 1448, 1695
v. O'Reilly, 158 U. S. 334, 16891
v. Pac. Short Line, &c., Co. 104 Ia. 311, 542
v. Proctor, 1 Allen (Mass.), 267, 1593, 1598
v. Richardson, 135 Mass. 473, 80
v. Saco Valley Elec. R. Co., 98 Me. 78, 154, 158, 159, 1119
v. Salem, &c., R. Co., 2 Gray (Mass.), 1, 32, 955, 967, 1049
v. Shanly, 107 Mass. 568, 1466
v. State, 32 N. H. 215, 709, 716, 1360
v. State, 60 N. H. 87, 741, 772a
v. State, 63 N. H. 571, 741
v. Stockwell, 146 Fed. 505, 1630a
v. Trafton, 151 Mass. 229, 1598
v. Wellington, 113 Mass. 79, 18, 103, 109, 111, 150
v. Whitcher, 1 Allen (Mass.), 497, 1559
v. York County, 78 Me. 386, 969
Boston, &c., Co. v. Bangor, &c., R. Co., 93 Me. 52. 1238
v. Briggs, 132 Mass. 24, 1180, 1181
v. Chamberlain, 66 Fed. R. 847, 584
v. Massachusetts, 97 U. S. 25, 663
v. Montana, &c., Co., 188 U. S. 632, 652
v. Moring, 15 Gray (Mass.), 211, 18
v. Lake Shore, &c., Co., 1 Interst. Com. Com. 436, 1684
Boston, &c., Corp. v. Nashua, &c., R. Corp., 157 Mass. 258, 359, 695
Bostwick v. Baltimore, &c., R. Co., 45 N. Y. 712, 1423, 1488, 1502, 1503
v. Champion, 11 Wend. 571, 1444, 1445
v. Chapman, 24 Atl. 32, 478
v. Minneapolis, &c., Co., 2 N. Dak. 440, 1180
Boswell v. Barnhart, 96 Ga. 521, 1378
v. Laird, 8 Cal. 469, 1063
Bosworth v. Jacksonville, &c., Bank, 64 Fed. 615, 604
v. Union R. Co., 25 R. I. 202, 1585, 1591b, 1639
v. Union R. Co., 26 R. I. 309, 1591b
Bothe v. Dayton, &c., R. Co., 37 Ohio St. 147, 1055
Bothwell v. Millikan,, 104 Ind. 162, 834
Botsford v. Michigan Cent. R. Co., 33 Mich. 256, 1296
v. New Haven, &c., R. Co., 41 Conn. 454, 1066, 1069
Bott v. Pratt, 33 Minn. 323, 711
Bottomley's Case, L. R. 16 Ch. Div. 681, 136, 152
Bottomley v. Port Huron, &c., R. Co., 44 Mich. 542, 1065
Bottoms v. Seaboard, &c., R. Co., 114 N. Car. 699, 1261, 1262
v. Seaboard, &c., R. Co., 25 L. R. A. 784, 1260
v. Seaboard Air Line R. Co., 136 N. Car. 472, 1224
Botts v. Simpsonville, &c., Co., 88 Ky. 54, 45, 165, 325, 328
v. Wabash R. Co., 106 Mo. App. 397, 1747
Bottum v. Charleston &c., R. Co., 72 S. Car. 375, 1491
Bouch, In re, L. R. 29 Ch. Div. 635, 307
Bouch v. Sproule, L. R. 12 App. Cas. 385, 307
Bouker v. Long Island R. Co., 35 N. Y. S. 23, 1465
v. Long Island, &c., R. Co., 89 Hun, 202, 1482
Bouknight v. Chicago, &c., R. Co., 41 S. Car. 415, 473
v. Davis, 33 S. Car. 410, 843
Boulden v. Pennsylvania R. Co., 205 Pa. St. 264, 1378b
Bouldin v. Baltimore, 15 Md. 18, 783
Boult v. Ship Naval Reserve, 5 Hughes (U. S. C. C.), 233, 1561
Boulter v. Webster, 11 L. T. N. S. 598, 1373
Boulton Carbon Co. v. Mills, 78 Iowa, 460, 89, 91, 110, 175, 179
Boulware v. Davis, 90 Ala. 207, 555
Bound v. Railroad Co., 45 Wis. 543, 863
v. South Carolina Ry. Co., 46 Fed. 315, 520
v. South Carolina R. Co., 43 Fed. 404, 585
v. South Carolina R. Co., 50 Fed. 853, 521
v. South Carolina R. Co., 58 Fed. 473, 515, 521, 528
v. South Carolina R. Co., 78 Fed. 49, 534
v. Wisconsin Cent. R. Co., 45 Wis. 543, 890
Bourgeois v. Mills, 60 Tex. 76, 1039
Bourke v. Butte Elec., &c., Co., 33 Mont. 267, 1812, 1814
Bourland v. Choctaw, &c., R. Co., 90 S. W. 483, 1731, 1732
Bourne v. Gatliffe, 7 Man. & G. 850, 1464
Boutelle v. Minneapolis, 59 Minn. 493, 1003b
Bouthron v. Phoenix, &c., Co. 71 Pac. 941, 1366a
Bouvier v. Baltimore, &c., R. Co., 69 N. J. L. 149, 963
v. Baltimore, &c., R. Co., 67 N. J. L. 281, 942
v. Baltimore, &c., R. Co., 51 N. J. L. 781, 962
Bouwmeester v. Grand Rapids, &c., R. Co., 67 Mich. 87, 1257
Bowden v. Johnson, 107 U. S. 251, 92
Bowdon v. Atlantic Coast Line R. Co., 41 So. 294, 1527
Bowe v. Bowe, 26 O. C. C. 409, 1807
v. United States, 42 Fed. 761, 1060
Bowen v. Atlantic, &c., R. Co., 17 S. Car. 574, 987, 996
v. Boston, &c., R. Co., 179 Mass. 524, 1238
v. Brecon Ry., L. R. 3 Eq. 541, 486, 504
v. Chicago, &c., R. Co., 95 Mo. 268, 1268
v. Detroit City R. Co., 54 Mich. 496, 1082, 1094, 1096ag, 1096ap, 1176
v. Gainsville, &c., R. Co., 95 Ga. 688, 1158
v. Hall, L. R. 6 Q. B. Div. 333, 1688
v. Illinois Cent. R. Co., 136 Fed. 306, 1265, 1359, 1369
v. Lease, 5 Hill (N. Y.), 221, 67

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bowen v. Mt. Washington R. Co., 62 N. H. 502, 297
v. St. Paul, &c., R. Co., 36 Minn. 522, 1226
v. Southern R. Co., 58 S. Car. 222, 1850
Bower v. Boston, 155 Mass. 344, 1375
v. Burlington, &c., R. Co., 42 Iowa, 546, 467, 472, 473
v. Chicago, &c., R. Co., 61 Wis. 457, 1153, 1156, 1792
v. Peate, L. R. 1 Q. B. Div. 321, 1064
Bowers v. Connecticut, &c., Co., 162 Mass. 312, 1338, 1347
v. Pittsburgh, &c., R. Co., 158 Pa. St. 302, 1593, 1597
v. Richmond, &c., R. Co., 107 N. C. 721, 1694
v. Union, &c., R. Co., 4 Utah 215, 1276
Bowersox v. Seneca Co. Com'rs. 20 Ohio St. 496, 1010
Bowery Bank, Matter of, 16 How. Pr. 56, 169
Bowes v. New York, &c., R. Co., 181 Mass. 89, 1296
Bowick v. Miller, 21 Ore. 25, 266
Bowie v. Baltimore, &c., R. Co., 1 McArthur (D. C.), 609, 1413
v. Baltimore, &c., R. Co., 1 McArthur, 94, 1550, 1747
v. Greenville St. R. Co., 69 Miss. 196, 1096cz
Bowlby v. Shively, 22 Ore. 410, 977
Bowler v. Perrin, 47 Mich. 154, 1018
v. Washington, 62 Me. 302, 1017
Bowler, &c., Co. v. Toledo, &c. R. Co., 10 Ohio C. C. 272, 1649
Bowles v. Chesapeake, &c., R. Co., 57 S. E. 131, 1163
v. Indiana R. Co., 27 Ind. App. 672, 1303a, 1766
Bowlin v. Nye, 10 Cush. (Mass.) 416, 1526
Bowling v. St. Louis &c. R. Co., 189 Mo. 219, 1596
Bowling Green Trust Co. v. Virginia &c., R. Co., 133 Fed. 186, 561
Bowling Green R. Co. v. Warren County, 10 Bush (Ky.), 711, 341, 828, 850
Bowlsby v. Speer, 31 N. J. L. 351, 977
Bowman v. Bell, 14 Simons, 392, 558
v. Chicago, &c., R. Co., 125 U. S. 465, 667, 1664, 1665, 1671
v. Hilton, 11 Ohio, 303, 1445, 1451
v. Middleton, 1 Ray (S. Car.), 252, 950
v. Stewart, 165 Pa. St. 394, 1059
v. Teall, 23 Wend. 306, 1455, 1485
v. Troy, &c., R. Co., 37 Barb. (N. Y.) 516, 1209
v. Venice, &c., R. Co., 102 Ill. 459, 1025, 1026, 1027, 1028, 1041
Bowne v. Mt. Holly Nat. Bank, 45 N. J. L. 360, 232
Bowring v. Wabash R. Co., 90 Mo. App. 324, 1747
Bowsher v. Chicago, &c., R. Co., 113 Ia. 16, 1820
Box v. Atchison, &c., R. Co., 58 Mo. App. 350, 1200
Box's Trusts, In re, 9 L. T. (N. S.) 372, 308
Boyce v. Cheshire R. Co., 42 N. H. 97, 1243a
v. Grundy, 3 Pet. (U. S.) 210, 479
Boyce v. Missouri Pac. R. Co., 168 Mo. 583, 5, 938, 948, 951
v. Montauk Gas, &c., Co., 37 W. Va. 73, 411, 493
v. Sinclair, 3 Bush, 261, 862
v. Wabash, &c., Ry. Co., 63 Iowa, 70, 710, 1364, 1366
Boyd v. Alabama, 94 U. S. 645, 918
v. Blumenthal, 3 Pen. (Del.) 564, 1689g
v. Chesapeake, &c., Canal Co., 17 Md. 195, 268, 621
v. Chicago, &c., R. Co., 217 Ill. 332, 1063
v. Clark, 8 Fed. 849, 1373
v. Craydon R. Co., 4 Bing. N. C. 669, 21
v. Hall, 56 Ga. 563, 186
v. Logansport, &c., Trac. Co., 161 Ind. 587, 1049a
v. Mutual Trust Assn., 116 Wis. 155, 181
v. Negley, 40 Pa. St. 377, 961, 1026, 1028
v. Peach Bottom R. Co., 90 Pa. St. 169, 106, 111
v. Portland, &c., Co., 37 Ore. 567, 1704
v. Portland, &c., Co., 40 Ore. 126, 1096cm
v. Royal Ins. Co., 111 N. Car. 372, 568
v. Spencer, 103 Ga. 828, 1593, 1597
v. United States, 116 U. S. 616, 646
v. Wabash, &c., R. Co., 105 Mo. 371, 1153
Boyden v. Fitchburg, &c., R. Co., 70 Vt. 125, 1361a, 1850
Boyer v. Commonwealth (Ky.), 19 S. W. 845, 732
v. Northern Pac. R. Co., 8 Idaho, 74, 621a, 622
Boyer & Lucas v. St. Louis, &c., R. Co., 76 S. W. 441, 1049f
Boylan v. Hot Springs R. Co., 132 U. S. 146, 1593, 1597, 1693
v. Kelly, 36 N. J. Eq. 331, 531
Boyle v. Great Northern, &c., R. Co., 13 Wash. 383, 1689h
v. Musser, &c., Co., 88 Minn. 456, 626
v. New York, &c., R. Co., 151 Mass. 102, 1345
v. Philadelphia, &c., R. Co., 54 Pa. St. 310, 811
v. Townes, 9 Leigh, 156, 563, 568
Boyne City, &c., R. Co. v. Anderson, 109 N. W. 429, 1035a, 1036a
Boynton v. Andrews, 63 N. Y. 93, 110, 111
v. Longley, 19 Nev. 69, 1057f
v. Peterborough, 4 Cush. 467, 1003, 1023, 1025
v. Somersworth, 58 N. H. 321, 1804
Boys v. Pink, 8 Car. & P. 361, 1406
Brace v. New York, &c., R. Co., 27 N. Y. 269, 1198
Braceville Coal Co. v. People, 147 Ill. 66, 46, 665
Bracey v. St. Louis, &c., R. Co., 95 S. W. 151, 996d
Brachfeld v. Third Ave. R. Co., 60 N. Y. S. 988, 1096cq
Bradburn v. Wabash R. Co., 134 Mich. 575, 1283, 1288a
v. Whatcom, &c., R. Co., 88 Pac. 1020, 1604

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bradbury v. Barnes, 19 Cal. 120, 274, 535
v. Furlong, 13 R. I. 15, 1361
v. Goodwin, 108 Ind. 286, 1314
v. Kingston, &c., R. Co., 157 Pa. St. 231, 1290
Braddock v. Philadelphia, &c., R. Co., 45 N. J. L. 363, 133, 184, 141
Braddock Glass Co. v. Irwin, 153 Pa. St. 440, 1414
Braddock, &c., Co. v. Braddock Ry. Co., 1 Pa. Dist. 44, 1135
Bradford v. Boston, &c., R. Co., 150 Mass. 392, 1252, 1256
v. Floyd, 80 Mo. 207, 1669
v. Frankfort, &c., R. Co., 142 Ind. 383, 246, 323, 326, 345
v. South Car. Railroad, 7 Rich. L. 201, 1435, 1441, 1445
Bradford, &c., Co. v. Briggs, L. R. 12 App. Cas. 29, 99, 100
v. Briggs, 56 L. T. Rep. 62, 100
v. Helfin, 42 So. 174, 1, 1332, 1334
Bradish v. James, 83 Mo. 313, 1067
Bradley, In re, 108 Ia. 476, 1012
Bradley v. Ballard, 55 Ill. 413, 369, 372, 380
v. Bauder, 36 Ohio St. 28, 78, 79
v. Boston, &c., R. Co., 2 Cush. 539, 1155
v. Buffalo, &c., R. Co., 34 N. Y. 427, 1193, 1194, 1195, 1198
v. Chicago, &c., R. Co., 94 Wis. 44, 1731
v. Chicago, &c., R. Co., 138 Mo. 293, 1318
v. Farwell, 1 Holmes, 433, 604
v. Frankfort, 99 Ind. 417, 1015, 1017
v. Ft. Wayne, &c., R. Co., 94 Mich. 35, 1644
v. Grand Trunk, &c., R. Co. (Mich.), 65 N. W. R. 102, 1628
v. Holdsworth, 3 M. & W. 422, 320
v. Iowa Cent. R. Co., 11 Ia. 562, 1239
v. McAtee, 7 Bush, Ky. 667, 1096c
v. Missouri Pac. R. Co., 91 Mo. 493, 934, 1023, 1049
v. New York, &c., R. Co., 21 Conn. 294, 38, 785, 794, 960, 978, 1057b
v. New York, &c., R. Co., 62 N. Y. 99, 1305
v. Ohio, &c., R. Co., 78 Fed. 387, 28
v. Railway Co., 107 Mich. 243, 1590a
v. Second Ave., &c., R. Co., 35 N. Y. S. 918, 1402
v. Waterhouse, 1 Moo. & M. 154, 1491
Bradley Ramsey Lumber Co. v. Perkins, 109 La. Ann. 317, 851a, 856
Bradshaw v. Lancashire, &c., R. Co., L. R. 10 C. P. 189, 1359, 1375
v. Louisville, &c., R. Co. (Ky.), 21 S. W. 346, 1304
v. Rodgers, 20 Johns. (N. Y.), 103, 950
v. South Boston, &c., R. Co., 135 Mass. 407, 1096da, 1594, 1602
Bradstreet v. Heran, 2 Blatchf. 116, 1420, 1481
Bradt v. Benedict, 17 N. Y. 93, 49
Bradway v. LeWorthy, 9 Johns. (N. Y.) 251, 713
Bradwell v. Pittsburg, &c., R. Co., 153 Pa. St. 105, 1096cb, 1096cc
Brady v. Chicago, &c., R. Co., 114 Fed. 100, 1780
v. Des Moines, &c., R. Co., 57 Iowa, 393, 1223
v. Johnson, 75 Md. 445, 497, 520
v. Ludlow, &c., Co., 154 Mass. 468, 1349
v. Nagle (Tex. Ct. App.), 29 S. W. 943, 210
v. New York, &c., R. Co., 20 R. I. 338, 1298a
v. Pennsylvania Co., 2 Interst. Com. 78 1686
v. Rensselaer, &c., R. Co., 1 Hun (N. Y.), 378, 1185, 1198, 1210
v. Rensselaer, &c., R. Co., 3 Thomp. & C. (N. Y.) 537, 1200
v. State, 26 Md. 290, 107
v. State, 15 Lea, 528, 662
v. Toledo, &c., R. Co., 81 Mich. 616, 1146, 1167
Bragdon v. Perkins, &c., Co., 82 Fed. 338, 656a
Bragg v. Tufts, 49 Ark. 554, 736
Brain v. Harris, 10 Exch. 908, 450
Brainard v. Boston, &c., R. Co., 12 Gray (Mass.), 407, 1038
v. Clapp, 10 Cush. (Mass.) 6, 632, 987
v. Connecticut R. Co., 7 Cush. (Mass.) 506, 1096
v. Missiquoi R. Co., 48 Vt. 107, 967, 977
Brainerd v. New York, &c., R. R. Co., 25 N. Y. 496, 486
v. Peck, 34 Vt. 496, 495, 497, 498
Braintree, &c., Co. v. Braintree, 146 Mass. 482, 18
Braithwaite v. Hall, 168 Mass. 38, 1808
v. Power, 1 N. D. 455, 1447, 1558, 1562
Brakken v. Minneapolis R. Co., 29 Minn. 41, 1040, 1085, 1086
Bramwell v. Gukeen, 2 Idaho, 1069, 751
Branahan v. Hotel Co., 39 Ohio St. 333, 1085
Branan v. Atlantic, &c., R. Co., 108 Ga. 70, 1539, 1540, 1543
Branch v. Atlantic, &c., R. Co., 3 Woods, 481, 42, 82, 490, 497
v. Augusta, &c., Works, 95 Ga. 573, 109, 111
v. Jessup, 106 U. S. 468, 42, 67, 82, 110, 340, 353, 384, 435, 489, 497
v. Port Royal, &c., R. Co., 35 S. C. 405, 1697
v. Wilmington, &c., R. Co., 77 N. C. 347, 668, 709, 1465, 1575
v. Wilmington, &c., R. Co., 88 N. C. 573, 1425, 1497, 1500
Branch Bank v. Collins, 7 Ala. 95, 272, 440
Brand v. Hammersmith, &c., R. Co., L. R. 4 H. L. 171, 1005
v. Lawrenceville, &c., R. Co., 77 Ga. 506, 111, 116
v. Multrowah County, 38 Ore. 79, 1091
v. Schenectady, &c., R. Co., 8 Barb. 368, 1153
v. Weir, 27 Misc. (N. Y.) 212, 1528
Brander v. Brander, 4 Vesey, 800, 307
Brandon v. Ard, 87 Pac. 687, 795

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Brandon Iron Co. v. Gleason, 24 Vt. 228, 606
Brandt v. Chicago, &c., R. Co., 26 Iowa, 114, 1216
Branin v. Connecticut, &c., R. Co., 31 Vt. 214, 1061, 1065
Branley v. Southeastern, &c., R. Co., 12 Com. B. (N. S.) 63, 1391, 1467
Brann v. Chicago, &c., R. Co., 53 Iowa, 595, 1278, 1288, 1327
Brannen v. Kokomo, &c., Co., 115 Ind. 115, 1174
Branner v. Norfolk, &c., R. Co., 104 Va. 50, 1154
Brannigal v. Union Gold Min. Co., 93 Fed. 164, 1366a
Brannigan v. Robinson, L. R. (1892) 1 Q. B. 344, 1338
Bransom v. Labrot, 81 Ky. 638, 1259
Branson v. Gee, 25 Ore. 462, 1019
v. New York Cent., &c., R. Co., 111 App. Div. (N. Y.) 737, 1057g
v. Oregonian R. Co., 11 Ore. 161, 526
v. Philadelphia, 47 Pa. St. 329, 69
Brant, In re, 96 Fed. 257, 560
Brant v. Ehlen, 59 Md. 1, 91, 110
v. Northern Pac. R. Co., 22 Ont. 645, 1435
Brantford City, The, 29 Fed. R. 373, 1506, 1507, 1627
Brashear v. Houston, &c., R. Co., 47 La. Ann. 735, 1628, 1628c
v. West, 7 Pet. (U. S.) 608, 625
Brasher v. Denver, &c., R. Co., 12 Col. 384, 1491, 1531
Brasington v. South Bound R. Co., 62 S. Car. 325, 1801, 1815
Braslin v. Somerville, &c., Railroad Co., 145 Mass. 64, 467, 471, 473, 958, 1096ad
Brass v. North Dakota, 153 U. S. 391, 2, 1096ah
Brassell v. New York, &c., R. Co., 84 N. Y. 241, 1590, 1628
Brassey v. New York, &c., R. Co., 19 Fed. R. 663, 27, 546, 549
v. New York, &c., R. Co., 22 Blatchf. 72, 545
v. New York, &c., R. Co., 17 Am. & Eng. R. Cas. 285, 544
Brassfield v. Patton, 32 Mo. App. 572, 1199
Braun v. Board, 66 Fed. R. 476, 892
v. Craven, 175 Ill. 401, 1817
v. Northern Pac. R. Co., 79 Minn. 404, 1096da
v. Webb, 32 Misc. (N. Y.) 243, 1020
v. Webb, 65 N. Y. S. 668, 1617
Bravard v. Cincinnati, &c., R. Co., 115 Ind. 1, 47, 413, 628, 933, 1049
Braxton v. Hannibal, &c., R. Co., 77 Mo. 455, 1206, 1689c
Brazee v. Raymond, 59 Mich. 548, 1020
Brazil Block Coal Co. v. Gaffney, 119 Ind. 455, 1283
v. Gibson, 160 Ind. 319, 1273
v. Young, 117 Ind. 520, 1096cp, 1286
Brazzell v. State, 119 Ga. 559, 729
Bream v. Brown, 5 Cold. 168, 1372
Breaux v. Bienvenu, 51 La. Ann. 687, 960
Breckenridge County v. McCracken, 61 Fed. 191, 825, 856, 878, 893
Breckenridge, &c., Co. v. Hicks, 94 Ky. 362, 1292
Bredin v. Pittsburg, &c., R. Co., 165 Pa. St. 202, 937, 984
Breed v. Eastern, R. Co., 5 Gray (Mass.), 470, 1003b, 1025
v. Mitchell, 48 Ga. 533, 624, 1420
Breedlove v. Martinsville, &c., R. Co., 12 Ind. 114, 133
Breen v. Field, 157 Mass. 277, 1288
v. New York, &c., R. Co., 109 Y. 297, 1633
v. St. Louis Transit Co., 108 Mo. App. 443, 1823
v. Texas, &c., R. Co., 50 Tex. 43, 1595, 1602
Breene v. Merchants' & M. Bank, 11 Colo. 97, 615
Breeze v. Midland R. Co., 26 Gr. Ch. (Can.) 225, 1069
Brehm v. Great Western, &c., R. Co., 34 Barb. 256, 1584, 1587
Brehme v. Adams Exp. Co., 25 Md. 328, 1510
Breitweiser v. Fuhrman, 88 Ind. 28, 1053
Bremmer v. Green Bay, &c., R. Co., 61 Wis. 114, 1201
Breneman v. Burlington, &c., R. Co. (Iowa), 60 N. W. R. 176, 1112
Brenham v. Brenham Water Co., 67 Tex. 542, 1096u
v. German Am. Bank, 144 U. S. 173, 831, 835, 839, 891, 913
Brennan v. Brooklyn, &c., R. Co., 33 N. Y. S. 852, 1703
v. Central R. Co., 62 Atl. 177, 1171
v. Emery, &c., Co., 99 Fed. 971, 226
v. Gordon, 118 N. Y. 489, 1283
v. Michigan Cent. R. Co., 93 Mich. 156, 1281
v. Pennsylvania R. Co., 62 Atl. 177, 1165, 1166
v. Titusville, 153 U. S. 289, 759
Brenner v. Jonesboro, &c., R. Co., 100 S. W. 893, 1837
Brent v. Bank, 2 Cranch C. C. (U. S.) 517, 100, 310
v. Bank of Washington, 10 Peters (U. S.), 596, 101
Brentner v. Chicago, &c., R. Co., 58 Iowa, 625, 1185, 1216
v. Chicago, &c., R. Co., 68 Iowa, 530, 1213, 1218
Bresee v. Los Angeles Trac. Co. (Cal.), 85 Pac. 152, 1096ce, 1791
Bresler v. Ellis, 46 Mich. 335, 1054
Breslin v. Somerville Horse R. Co., 145 Mass. 64, 958
Bresnahan v. Michigan Cent. R. Co., 49 Mich. 410, 1253, 1257, 1313
Bress v. Trenton R. Co., 52 N. J. L. 250, 1696
Bretherton v. Wood, 3 Brod. & B. 54, 1693
Brevig v. Chicago, &c., R. Co. (Minn.), 66 N. W. R. 401, 1255, 1581, 1696
Brewer v. Blougher, 14 Pet. U. S. 178, 1358d
v. Boston Theater, 104 Mass. 378, 165
v. Boston, &c., R. Co., 113 Mass. 52, 1056, 1085
v. Flint, &c., R. Co., 56 Mich. 620, 1296
v. New York, &c., R. Co., 124 N. Y. 59, 1578, 1578a, 1604, 1645
Brewer Brick Co. v. Brewer, 62 Me. 62, 814

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Brewer Lumber Co. v. Boston, &c., R. Co., 179 Mass. 228, 1543
Brewer, &c., R. Co. v. Boddie, 181 Ill. 623, 423
Brewster v. Gelston, 1 Paine (U. S.), 426, 713
v. Hartley, 37 Cal. 15, 95, 97, 157, 158, 193, 559
v. Hatch, 122 N. Y. 349, 11, 13
v. Hobart, 15 Pick. (Mass.) 302, 225
v. Kansas City, &c., R. Co., 25 Fed. R. 243, 794, 797
v. Stratman, 4 Mo. App. 41, 275
v. Syracuse, 19 N. Y. 116, 862
Briant v. Detroit, &c., R. Co. (Mich.), 62 N. W. R. 365, 1238
Brice v. Louisville, &c., R. Co., 98 S. W. 288, 1296
v. Munro, 5 Can. L. T. (Ont.) 130, 179
v. Railway Co. (Ky.), 9 S. W. R. 288, 1301
v. Sommers, 8 Chicago Leg. News, 290, 655
Brick v. Rochester, &c., R. Co., 98 N. Y. 211, 1319
Brickell v. Batchelder, 62 Cal. 623, 505
v. New York, &c., R. Co., 120 N. Y. 290, 1174, 1178
Bricker v. Pennsylvania, &c., R. Co., 132 Pa. St. 1, 1578
Brickett v. Haverhill Aqueduct Co., 142 Mass. 394, 1048
Brickley v. Schlag, 46 N. J. Eq. 533, 110
Brickner v. New York, &c., R. Co., 2 Lans. 506, 1317
Briddon v. Great Northern R. Co., 28 L. J. Exch. 51, 1520
Briden v. New York, &c., R. Co., 27 R. I. 569, 1110
Bridewell v. Gate City Term Co., 56 S. E. 624, 919, 919a, 920, 952, 952c, 958, 1027
Bridge v. Grand Junction R. Co., 3 M. & W. 244, 1313, 1585
v. Oshkosh, 67 Wis. 195, 1689i
v. Oshkosh, 71 Wis. 363, 1689i
Bridge Co. v. United States, 105 U. S. 470, 1673
Bridge Proprietors v. Hoboken Co., 1 Wall. 116, 32, 968
Bridgeport v. Giddings, 43 Conn. 304, 1015
v. Housatonic Co., 15 Conn. 475, 814, 827, 894, 907
v. New York R. R., 36 Conn. 255, 39, 781, 786, 922, 964, 966, 974, 1098, 1103, 1127
Bridgeport Bank v. New York, &c., R. R. Co., 30 Conn. 231, 80, 97, 98, 204
Bridger v. Asheville, &c., R. Co., 27 S. C. 456, 1259, 1261, 1820
v. Asheville, &c., R. Co., 25 S. C. 24, 1340, 1366
Bridgers v. Purcell 23 N. Car. 232, 1048d
Bridges v. Ballard, 62 Miss. 237, 507
v. North London, &c., R. Co., L. R. 6 Q. B. 377, 1628, 1628c
v. Purcell, 1 Dev. & B. (N. C.) 492, 949
v. Tennessee, &c., R. Co., 109 Ala. 287, 1297
Bridgeton v. Bridgeton, &c., R. Co., 62 N. J. L. 592, 1096ad
Bridgewater Iron Co. v. Lissberger, 116 U. S. 8, 98
Bridgewater Nav. Co., In re, 3 Ry. & Corp. L. J. 591, 613
Bridgewater Nav. Co., In re, L. R. 39 Ch. Div. 1, 85
Bridgman v. Emily, The, 18 Ia. 509, 1729
v. St. Johnsberry, &c., R. Co., 58 Vt. 198, 1000, 1048
Bridport Old Brewery Co., In re, L. R. 2 Ch. 191, 164
Brien v. Bennett, 8 C. & P. 724, 1579
v. Shanly, 24 U. C. C. P. 28, 1061
Brierly v. Union R. Co., 26 R. I. 119, 1835
Brig Collenberg, The, 1 Black (U. S.), 170, 1481, 1559
Briggs, Ex parte, L. R. 1 Eq. 483, 132
Briggs v. Boston, &c., R. Co., 6 Allen (Mass.), 246, 1392, 1451, 1569, 1571
v. Boston, &c., R. Co., 188 Mass. 463, 1157
v. Cape Cod Ship Canal Co., 137 Mass. 71, 52, 606, 629, 957, 1033
v. Grand Trunk R. Co., 24 U. C. Q. B. 510, 1595, 1598
v. Lewiston, &c., R. R. Co., 79 Me. 363, 6, 1096c
v. N. Y., &c., R. Co., 72 N. Y. 26, 1157
v. New York, &c., R. Co., 177 N. Y. 59, 1689i, 1799, 1800
v. New York, &c., R. Co., 28 Barb. (N. Y.) 515, 1710, 1730
v. Railroad Co., 56 Kan. 526, 984
v. St. Louis, &c., R. Co., 111 Mo. 168, 1191
v. Spaulding, 141 U. S. 132, 232, 273, 275, 278
v. Union St. R. Co., 148 Mass. 72, 1096cy
v. Vanderbilt, 19 Barb. 222, 1445, 1447
Brigham v. Agricultural, &c., R. Co., 1 Allen (Mass.), 316, 923, 930, 962, 1049
v. Mead, 10 Allen (Mass.), 245, 97, 155
v. Southern Pac. Co., 84 Pac. 306, 1830
Bright v. Lord, 51 Ind. 272, 305, 306
v. Louisville, &c., R. Co., 27 Ky. L. 1052, 940, 942
v. Metairie, &c., Assn., 33 La. Ann. 58, 285
Brighthope v. Rogers, 76 Va. 443, 1224, 1226, 1244
Brightman v. Bates, 175 Mass. 105, 159
v. Kirner, 22 Wis. 54, 770, 784
Brightwell v. Mallory, 10 Yerg. (Tenn.) 196, 78
Brignoli v. Chicago, &c., R. Co., 4 Daly (N. Y.), 82, 1808
Brill v. Eddy, 115 Mo. 596, 1255
v. Grand Trunk R. Co., 20 U. C. C. P. 440, 1692
Brimmer v. Boston, 102 Mass. 19, 963, 1096o
v. Rehman, 138 U. S. 78, 1663
Brind v. Dale, 8 Carr. & P. 207, 1397, 1403
Brine v. Ins. Co., 96 U. S. 627, 530
Brinham v. Wellersburg Coal Co., 47 Pa. St. 43, 183

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Brink v. Kansas City, &c., R. Co., 17 Mo. App. 177, 977
Brinker v. Union Pac. R. Co., 11 Colo. App. 160, 948, 949
Brinkerhoff v. Newark, &c., Traction Co., 66 N. J. L. 478, 955, 958, 1029, 1030b
Brinkerhoff-Farris Trust, &c., Co. v. Home, &c., Co., 118 Mo. 447, 99
Brinkley v. Southern R. Co., 135 N. Car. 654, 994a
Brinkman v. Bender, 92 Ind. 234, 1226, 1229
v. Ritzinger, 82 Ind. 358, 552
Brinkmeier v. Missouri Pac. R. Co., 69 Kan. 738, 1296, 1313
Brinley v. Grou, 50 Conn. 66, 307
v. Mann, 2 Cush. (Mass.) 337, 491
Brintnall v. Saratoga, &c., R. Co., 32 Vt. 665, 1435, 1443, 1450
Brisbane v. Delaware, &c., R. R. Co., 94 N. Y. 204, 98, 306
Brisbine v. St. Paul, &c., R. Co., 23 Minn. 114, 977, 1028
Brisco v. Allison, 43 Ill. 291, 816
Briscoe v. Metropolitan St. R. Co., 118 Mo. App. 668, 1697
v. Southern Kansas, &c., R. Co., 40 Fed. R. 273, 430, 444, 468, 473
v. Southern R. Co., 103 Ga. 224, 1173
Brisenden v. Chamberlain, 53 Fed. R. 307, 649
Bristol v. Chicago, &c., Railroad Co., 15 Ill. 436, 623
v. New Chester, 3 N. H. 525, 979
v. Rensselaer, &c., R. Co., 9 Barb. (N. Y.) 158, 1694, 1715
v. Scranton, 57 Fed. R. 70, 289
v. Scranton, 63 Fed. R. 218, 289
Bristol, &c., Bank, In re, L. R. 44 Ch. Div. 703, 608
Bristol M'f'g Co. v. Gridley, 28 Conn. 201, 1798
Bristol, &c., R. Co., In re, L. R. 3 Q. B. D. 10, 642
Bristol, &c., R. Co. v. Collins, 7 H. L. Cas. 194, 1437
Bristol, &c., Co. v. Bristol, &c., Co., 99 Tenn. 371, 1075
v. Probasco, 64 Ind. 406, 276, 614
Bristow v. Whitmore, 9 H. L. Cas. 391, 1081, 1096aa
British Provident L. & F. Assn. Co., In re, 4 DeG., J. & S. 407, 496
British Seamless Paper Box Co., In re, L. R. 17 Ch. Div. 467, 11
British, &c., Assn., Re, L. R. 5 Ch. Div. 306, 241
British, &c., Trustee, &c., v. Comper (1894), A. C. 399, 87
British, &c., Co. v. Gulf, &c., R. Co., 63 Tex. 475, 1509
v. Southern Pac. Co., 55 R. 82, 1558
Britt v. Carolina, &c., R. Co., 56 S. E. 910, 1333a
Brittain v. Barnaby, 21 How. (U. S.) 527, 1558, 1571
v. Kinnaird, 1 Brod. & Bing. 432, 865
v. West End St. R. Co., 168 Mass. 10, 1352
Britton v. Atlanta, &c., R. Co., 88 N. Car. 536, 1576, 1591, 1639, 1640
v. Des Moines, &c., R. Co., 59 Iowa, 540, 987
Britton v. Grand Rapids St. R. Co., 90 Mich. 159, 1096cy
v. Northern Pac. R. Co., 47 Minn. 340, 1315c
Broadbent v. Johnson, 2 Idaho, 300 113
Broadmoor Land Co. v. Curr, 142 Fed. 421, 1010a
Broadstreet v. Clark, 65 Iowa, 670, 627
Broadway Bank v. McElrath, 13 N. J. Eq. 24, 97, 98, 157
Broadway Church v. McAtee, 8 Bush (Ky.), 508, 784
Broadway Nat. Bank v. Adams, 130 Mass. 431, 654
Broadway, &c., R. Co., In re, 69 Hun, 275, 1020
Broadway, &c., R. Co., In re, 34 Hun, 414, 1023
Broadway, &c., R. Co., Matter of, 73 Hun (N. Y.), 7, 1014, 1029
Broadway, &c., R. Co. v. Mayer, 1 N. Y. S. 646, 1082, 1096ag
Broadwell v. Butler, 6 McLean (U. S.), 296, 1425
Broadwood v. Southern Exp. Co., 41 So. 769, 1512
Brocaw v. Board, 73 Ind. 543, 1, 117, 814, 826, 828, 852, 861, 893a
Brock v. Barnet, 57 Vt. 172, 1022
v. Connecticut, &c., R. Co., 35 Vt. 373, 1184
v. Gale, 14 Fla. 523, 1648, 1660, 1662a
v. Old Colony, &c., R. Co., 146 Mass. 194, 1029
Brockenbrough v. James River, &c., Co., 1 Patton & H. (Va.) 94, 150, 152
Brockert v. Central Iowa R. Co., 82 Iowa, 369, 532, 577
Brocket v. Ohio, &c., R. Co., 14 Pa. St. 241, 968a
Brochert v. Central Iowa R. Co., 82 Ia. 369, 1208
Brockway v. American Exp. Co., 168 Mass. 257, 1554
v. American Exp. Co., 171 Mass. 158, 1494
v. Innes, 39 Mich. 47, 186
Brod v. St. Louis Transit Co., 115 Mo. App. 202, 1845
Broder v. Natoma Water Works Co., 101 U. S. 274, 796
Broderick v. St. Paul, &c., R. Co., 74 Minn. 163, 1302
Brodeur v. Valley Falls R. Co., 16 R. I. 448, 1269, 1316
Brodhead v. Milwaukee, 19 Wis. 624, 814
v. Shoemaker, 44 Fed. R. 518, 651, 653
Brodie v. Carolina, &c., R. Co. (S. Car.) 24 S. E. 180, 1642, 1845
v. McCabe, 33 Ark. 690, 831, 844, 863, 918
Brokaw v. New Jersey, &c., Co., 32 N. J. L. 328, 213, 440
Bromley v. Birmingham, &c., R. Co., 95 Ala. 397, 1349, 1378, 1378a
Bronenberg v. Board, 41 Ind. 502, 872
Bronson v. Coffin, 108 Mass. 175, 360, 420, 1184
v. La Crosse, &c., R. Co., 2 Wall. (U. S.) 283, 511, 513
v. Oakes, 76 Fed. 734, 1589a
v. Railroad Co., 2 Black (U. S.), 524, 511, 518
v. St. Croix Lumber Co., 35 Fed. R. 634, 655

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Brooke v. Chicago, &c., R. Co., 81 Iowa, 504, 1272, 1700
v. Cunard S. S. Co., 93 N. Y. S. 369, 1738
v. Grand Trunk Railway, 15 Mich. 332, 1435, 1445, 1596
v. New York, &c., Co., 108 Pa. St. 529, 213, 303, 1416, 1419, 1494
v. Philadelphia, 162 Pa. St. 123, 361
v. Pickwick, 4 Bing. 218, 1421, 1647, 1651
Brookes v. Maysville, &c., R. Co. (Ky.) 83 S. W. 117, 385
Brookhaven Lumber Co. v. Illinois, &c., R. Co., 68 Miss. 432, 1314
Brookhouse v. Union R. Co., 132 Mass. 178, 1092
Brooklyn, In re, 143 N. Y. 596, 964
Brooklyn v. Brooklyn City R. Co., 47 N. Y. 475, 1092
v. Brooklyn City R. Co., 57 Barb. (N. Y.) 497, 1092, 1096aj
v. Copeland, 106 N. Y. 496, 1008
v. Insurance Co., 99 U. S. 362, 873, 897
v. Meserole, 26 Wend. 132, 782
Brooklyn Central R. Co. v. Brooklyn City R. Co., 32 Barb. (N. Y.) 358, 1096ad, 1096au
Brooklyn City, In re, 143 N. Y. 596, 1684b
Brooklyn City, &c., R. Co. v. Coney Island, &c., R. Co., 35 Barb. (N. Y.) 364, 1096v
Brooklyn Crosstown R. Co. v. Brooklyn City R. Co., 51 Hun (N. Y.), 600, 453
Brooklyn Elevated R. Co. In re, 99 N. Y. S. 222, 996e
Brooklyn Park Comrs. v. Armstrong, 45 N. Y. 234, 972, 1052
Brooklyn Steam Tr. Co. v. Brooklyn, 78 N. Y. 524, 47, 607, 801
Brooklyn, &c., R. Co., Matter of, 72 N. Y. 245, 47, 52, 62, 957, 962, 1096ac, 1096bj, 1096bk
Brooklyn, &c., R. Co., In re, 75 N. Y. 335, 52, 607
Brooklyn, &c., R. Co., In re, 80 Hun, 355, 1014
Brooklyn, &c., R. Co., In re, 125 N. Y., 434, 47, 629
Brooklyn, &c., R. Co., In re, 185 N. Y. 171, 1096bj
Brooklyn, &c., R. Co. v. Brooklyn City R. Co., 32 Barb. (N. Y.) 358, 58, 606, 930
v. Brooklyn City R. Co., 33 Barb. (N. Y.) 420, 1084, 1096au, 1135
v. Brooklyn, 37 Hun (N. Y.), 413, 1082, 1096ag
Brooklyn, &c., Co. v. Brooklyn, 78 N. Y. 524, 1096h
v. Slaughter, 33 Ind. 185, 283
Brooks v. Bigelow, 142 Mass. 6, 569
v. Boston, &c., R. Co., 188 Mass. 416, 1157
v. Buffalo, &c., R. Co., 1 Abb. App. Dec. 211, 1165
v. Burlington, &c., R. Co., 101 U. S. 443, 500
v. Davenport, &c., R. Co., 37 Iowa, 99, 995
v. Dinsmore, 6 N. Y. St. 281, 1725
v. Improvement Co., 82 Me. 17, 980a
Brooks v. Lincoln St. R. Co., 22 Neb. 816, 1095, 1096ab
v. Miller, 29 W. Va. 499, 576
v. Missouri Pac. R. Co., 98 Mo. App. 166, 1243, 1573, 1777
v. New York, &c., R. Co., 21 Wkly. Dig. (N. Y.) 464, 1786
v. New York, &c., R. Co., 13 Barb. 594, 1198
v. Northern Pacific R. Co., 47 Fed. 687, 1290, 1296
v. O'Hara, 2 McCrary (U. S.), 644, 515
v. Old Colony R. Co., 168 Mass. 164, 1641
v. Railway Co., 101 U. S. 443, 520, 526, 1069, 1072
v. Schwerin, 54 N. Y. 343, 1808
v. Southern Pac. Co., 148 Fed. 986, 1358c
v. Vermont, &c., R. Co., 22 Fed. 211, 534
v. Vermont Central R. Co., 14 Blatchf. (U. S.) 463, 509, 512
v. Western Union Tel. Co., 56 224, 715
Brookville, &c., Co. v. Butler, 91 Ind. 134, 972, 1007
Broome v. New York, &c., Co., 42 N. J. Eq. 141, 633, 1085
Brophy v. Landman, 28 Ohio St. 542, 783
Brosnagan, In re, 18 Fed. 62, 1670
Brosnan v. Sweetser, 127 Ind. 1, 1820
Brossman v. Lehigh, &c., R. Co., 113 Pa. St. 490, 1271
Brothers v. Cartter, 52 Mo. 372, 1292, 1316
Broughel v. Southern, &c., Co., 73 Conn. 614, 1363
Broughton v. Pensacola, 93 U. S. 266, 842
Brouillette v. Connecticut River R. Co., 162 Mass. 198, 1338, 1793
Brounton v. Southern Pac. R. Co., 2 Cal. App. 173, 1713
Brousseau v. Shi Hudson, 11 La. Ann. 427, 1481
Brouty v. Five, &c., Elm Staves, 21 Fed. Rep. 590, 1419
Brower v. Passenger R. Co., 3 Phila. 161, 107
v. Peabody, 13 N. Y. 121, 1428
v. Philadelphia, 142 Pa. St. 350, 1007
Brown, The J. W., 1 Biss. 76, 1420
Brown, Ex parte, 58 Ala. 536, 544
Brown, Ex parte, 15 S. Car. 518, 528, 546, 576, 577, 580
Brown's Petition, 14 R. I. 371, 307
Brown v. Adams, 3 Wills. Civ. Ct. App. 390, 1712
v. Adams, 3 Tex. App. (Civil Cases) 462, 1424
v. Adams Ex. Co., 15 W. Va. 812, 1457, 1497, 1501
v. Alabama, &c., R. Co., 87 Ala. 370, 660
v. Anderson, 1 T. B. Mon. (Ky.) 198, 383
v. Arkansas Central R. Co., 72 Ark. 456, 1000a, 1003, 1049c
v. Atchison, &c., R. Co., 31 Kan. 1, 1301
v. Atlanta, &c., R. Co., 113 Ga. 462, 957, 1049a, 1096b
v. Atlanta, &c., R. Co., 19 S. C. 39, 1221, 1224, 1231, 1242, 1404

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Brown v. Atlantic, &c., R. Co., 55 S. E. 24, 930
v. Bankers', &c., Tel. Co., 30 Md. 39, 226
v. Beatty, 34 Miss. 227, 1, 950, 952, 954, 960, 982, 987, 988, 1004, 1048, 1049, 1051
v. Bellows, 4 Pick. 179, 358, 422
v. Blaine, 41 Wash. 287, 1813
v. Bon Homme Co., 1 S. Dak. 216, 894
v. Boston, &c., R. Co., 64 Atl. 194, 1257
v. Bowen, 30 N. Y. 519, 949
v. Broadway, &c., R. Co., 50 N. Y. Super. Ct. 106, 1095, 1096cp
v. Buck, 54 Ark. 453, 1072
v. Buffalo, &c., R. Co., 22 N. Y. 191, 1361a, 1363
v. Buffalo, &c., R. Co., 27 Hun (N. Y.), 342, 314
v. Byroads, 47 Ind. 435, 1303
v. Calumet R. Co., 125 Ill. 600, 20, 957, 1030a
v. Camden, &c., R. Co., 83 Pa. St. 316, 1494
v. Camden, &c., R. Co., 45 N. Y. 113, 1494
v. Canadian Pac. R. Co., 3 Manitoba R. 496, 1652, 1659
v. Carson, 16 Ore. 388, 797
v. Cayuga, &c., R. Co., 12 N. Y. 486, 976, 1005, 1090
v. Central Bermuda Co., 162 Ind. 452, 789
v. Chattanooga, &c., R. Co., 101 Tenn. 252, 1376
v. Chicago, &c., R. Co., 54 Wis. 342, 213, 1628, 1823
v. Chicago, &c., R. Co., 51 Iowa, 235, 1637
v. Chicago, &c., R. Co., 102 Wis. 137, 1361a, 1368, 1375
v. Chicago, &c., R. Co., 66 Neb. 106, 982
v. Chicago, &c., R. Co., 137 Mo. 529, 1a
v. Chicago, &c., R. Co., 69 Ia. 161, 1301a
v. Chicago, &c., R. Co., 64 Neb. 62, 986, 1033, 1048
v. Chicago, &c., R. Co., 12 N. Dak. 61, 621a, 1699
v. Chicago, &c., R. Co., 139 Fed. 972, 1639
v. Chicago, &c., R. Co., 64 Ia. 652, 1812
v. Clayton, 12 Ga. 564, 1481
v. Collins, 53 N. H. 442, 1584
v. Commissioners, 100 N. Car. 92, 847, 868
v. Congress St., &c., R. Co., 49 Mich. 153, 1689g
v. Corey, 43 Pa. St. 495, 961, 963, 1037
v. County Commissioners, 12 Metc. 208, 1001
v. Denison, 2 Wend. (N. Y.) 593, 1401a
v. Denver, 7 Colo. 305, 845, 1019
v. DeYoung, 167 Ill. 549, 274
v. Dibble, 65 Mich. 520, 117, 323, 329
v. Duluth, &c., R. Co., 53 Fed. R. 889, 79, 166, 167
v. Dunlap, 3 S. Car. 101, 1694
v. Duplessis, 14 La. Ann. 842, 1076, 1077, 1088, 1096c, 1096l
Brown v. Eastern, &c., R. Co., 22 Q. B. 391, 718
v. Eastern Slate Co., 134 Mass. 590, 186
v. Eastern R. Co., 11 Cush. (Mass.) 97, 1501, 1593, 1660, 1661
v. Edgarton, 58 Kan. 815, 1179l
v. Electric R. Co., 101 Tenn. 252, 1361a
v. Elizabeth, &c., Co., 68 N. J. L. 612, 1096br
v. European, &c., R. Co., 58 Me. 384, 1253, 1262
v. Evans, 17 Fed. 912, 1803
v. Fairmount Mine Co., 10 Phil. (Pa.) 32, 163, 252
v. Farmers', &c., Co., 23 Ore. 541, 491, 502
v. Fisk, 23 Fed. R. 228, 182
v. Florida, &c., Ry. Co., 19 Fla. 472, 87
v. Gerald, 100 Me. 351, 952, 952a, 952c, 1096g
v. Grand Rapids, &c., Co., 58 Fed. R. 286, 604
v. Great Eastern R. Co., L. R. 2 Q. B. Div. 406, 727a
v. Griffin, 71 Tex. 654, 1179l
v. Hannibal, &c., R. Co., 66 Mo. 588, 1637, 1806
v. Hannibal, &c., R. Co., 37 Mo. 298, 1238
v. Hannibal, &c., R. Co., 27 Mo. App. 394, 473
v. Hannibal, &c., R. Co., 50 Mo. 461, 1250
v. Harper, 4 Ore. 89, 1073
v. Hazlehurst, 54 Md. 26, 567
v. Hodgson, 4 Taunt. 189, 1535
v. Houston, 114 U. S. 622, 756, 763, 1665, 1671
v. Illinois, &c., R. Co., 209 Ill. 402, 1053
v. Ingalls Twp. 81 Fed. 485, 900
v. Interurban St. R. Co., 88 N. S. 388, 1096cy
v. Keene, 8 Pet. (U. S.) 112, 649
v. Lehigh, &c., Co., 49 Pa. St. 270, 319
v. Louisville, &c., Co., 36 Ill. App. 140, 303, 1507
v. Louisville, &c., R. Co. (Ky.) 30 S. W. R. 639, 1154, 1248, 1372
v. Louisville, &c., R. Co., 111 Ala. 275, 1782
v. Louisville, &c., R. Co., 103 Ky. 211, 1594
v. McKay, 151 Ill. 315, 505, 506
v. Mallett, 5 C. B. 599, 1689a
v. Manhattan R. Co., 82 App. Div. (N. Y.) 222, 1840
v. Mayor, 63 N. Y. 239, 843
v. Manchester, &c., R. Co., L. R. 9 Q. B. Div. 230, 364
v. Manchester, &c., R. Co., L. R. 10 Q. B. Div. 250, 1504
v. Maryland, 12 Wheat. 419, 753, 756, 1663, 1665
v. Memphis, &c., R. Co., 5 Fed. 499, 1577a
v. Memphis, &c., R. Co., 4 Fed. R. 37, 202
v. Memphis, &c., R. Co., 7 Fed. R. 51, 1577, 1637
v. Metropolitan St. R. Co., 60 App. Div. 184, 1096cc

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Brown v. Milwaukee, &c., R. Co., 22 Minn. 165, 1153, 1165
v. Milwaukee, &c., R. Co., 21 Wis. 39, 1184, 1185
v. Minneapolis, &c., R. Co., 31 Minn. 553, 302, 1269, 1276, 1326
v. Milliken Co., 42 Kan. 76, 894
v. Minneapolis, &c., R. Co., 31 Minn. 553, 1689h
v. Missouri, &c., R. Co., 64 Mo. 536, 1255, 1578, 1593, 1604, 1606, 1610
v. Missouri, &c., R. Co., 67 Mo. 122, 208, 211, 222
v. Missouri, &c., R. Co., 104 Mo. App. 691, 1214
v. Monmouthshire R. Co., 13 Beav. 31, 479
v. New York, 63 N. Y. 239, 845
v. New York Cent. Railroad, 32 N. Y. 597, 1162
v. New York, &c., Co., 75 Hun, 355, 383, 1399
v. New York, &c., Co., 34 N. Y. 404, 1191, 1192, 1589
v. New York, &c., R. Co., 136 Fed. 700, 1359
v. New York, &c., R. Co., 181 Mass. 365, 1628
v. Northern Pac. R. Co., 86 Pac. 1053, 1313, 1314
v. Ogg, 85 Ind. 234, 806
v. Ohio, &c., R. Co., 138 Ind. 648, 1296
v. Oregon, &c., Co., 41 Wash. 688, 1238
v. Oregon, &c., R. Co., 24 Ore. 315, 1304
v. Pacific Mail, &c., Co., 5 Blatchf. (U. S.) 525, 161, 174
v. Parsons, 10 Utah, 223, 229
v. Pennsylvania R. Co., 142 Fed. 909, 1766
v. Philadelphia, &c., R. Co., 58 Md. 439, 971, 1046a
v. Piper, 91 U. S. 37, 1669
v. Preston, 38 Conn. 219, 966
v. Providence, &c., R. Co., 12 R. I. 238, 1037
v. Providence, &c., R. Co., 5 Gray, 35, 989, 1036, 1037, 1057
v. Rapid City R. Co., 134 Mich. 591, 1594
v. Republican, &c., Mines, 55 Fed. 7, 164
v. Rome, &c., R. Co., 86 Ala. 206, 933, 973, 974, 1046a
v. Rosedale St. R. Co., 15 S. W. 120, 1790, 1792
v. St. Louis, &c., R. Co., 108 Mo. App. 310, 1096bo
v. St. Paul, &c., R. Co., 22 Minn. 165, 1179b
v. St. Paul, &c., R. Co., 38 Minn. 506, 1023
v. Scaboro, 97 Ala. 316, 1592, 1632
v. Schleier, 118 Fed. 981, 400, 426, 611
v. Smart, 145 U. S. 454, 599
v. Smith, 86 Ga. 274, 1320
v. Smith, 122 Mass. 589, 98
v. Southern Pac. R. Co., 7 Utah, 288, 1828
v. Southern R. Co., 65 S. Car. 260, 1378b
v. Southern R. Co., 126 N. Car. 458, 1300
Brown v. State, 12 Wheat. 419, 1671
v. Steamship Co., 147 Mass. 58, 1736
v. Sullivan, 71 Tex. 470, 1815
v. Swineford, 44 Wis. 282, 1704
v. Texas, &c., R. Co., 42 La. Ann. 350, 1153, 1163, 1166
v. Toledo, &c., R. Co., 35 Fed. R. 444, 582
v. Trousdale, 138 U. S. 389, 626
v. Twenty-Third Ave. R. Co., 4 N. Y. S. 192, 1096cb
v. Twenty-Third St. R. Co., 56 N. Y. Sup. Ct. 356, 1096cj
v. Union Ins. Co., 3 La. Ann. 177, 260, 626
v. Wabash, &c., R. Co., 18 Mo. App. 568, 1510, 1512
v. Wabash R. Co., 96 Ill. 297, 526
v. Warner, 78 Tex. 543, 579
v. Weir, 95 App. Div. (N. Y.) 78, 1731
v. Wilmington City R. Co., Pennewill (Del.), 332, 1096aq, 1096cb
v. Winnisimmet Co., 11 Allen, 326, 341, 358, 391, 400
v. Winona, &c., R. Co., 27 Minn. 162, 1316, 1324, 1326
v. Winona, &c., R. Co., 53 Minn. 259, 1057f
v. Yazoo, &c., R. Co., 41 So. 383, 1634, 1644
Brown, &c., Co. v. Pennsylvania Co., (Minn.) 65 N. W. 961, 1440
v. Pennsylvania Co., 63 Minn. 546, 1440
v. Browne v. Monmouthshire, R. Co., 13 Beav. 32, 312, 314, 317
v. New York, &c., R. Co., 158 Mass. 247, 1296, 1314
v. Raleigh, &c., R. Co., 108 N. Car. 34, 1576, 1627a, 1629
Brownell v. Columbus, &c., R. Co., 4 Interst. Com. 285, 1678, 1678a
v. Flagler, 5 Hill (N. Y.), 282, 1175
v. Greenwich, 114 N. Y. 518, 846, 879, 882
v. Troy, &c., R. Co., 55 Vt. 218, 1090
Browning v. Camden, &c., R. Co., 4 N. J. Eq. 47, 1049, 1050
v. Goodrich, &c., Co., 78 Wis. 391, 1446, 1516
v. Hinkle, 48 Minn. 544, 256
v. Wabash, &c., R. Co., 124 Mo. 55, 1324, 1327
Brownlee v. Lowe, 117 Ind. 420, 1058
v. Ohio, &c., R. Co., 18 Ind. 68, 103, 112, 127
Bruce v. Andrews, 36 Mo. 593, 1426
v. Beall, 99 Tenn. 303, 1783
v. Cincinnati, &c., R. Co., 83 Ky. 174, 1366
v. Cloutman, 45 N. H. 37, 624
v. Platt, 80 N. Y. 379, 608
v. Schuyler, 4 Gilm. (Ill.) 221, 40
v. Seaboard, &c., R. Co., 41 So. 883, 1000
v. Smith, 44 Ind. 1, 98
Bruff v. Mali, 36 N. Y. 200, 282
Bruffett v. Grand Western R. Co., 25 Ill. 353, 37, 53, 56, 58, 71, 525, 601, 606
Bruggerman v. True, 25 Minn. 123, 1013
Brum v. Merchants' Mut. Ins. Co., 16 Fed. 140, 334
Brumagin v. Tillinghast, 18 Cal. 265, 764

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Brumit v. Virginia, &c., Co., 106 Tenn. 124, 1090
Brundage v. Brundage, 60 N. Y. 544, 305, 307
v. Brundage, 1 Th. & C. (N. Y.) 82, 319
v. Monumental, &c., Co., 12 Ore. 322, 182
Brundige v. Nashville, &c., R. Co., 112 Tenn. 526, 1377
Brundred v. Rice, 49 Ohio St. 640, 1467
Brunell v. Southern Pac. Co., 34 Ore. 256, 1319
Brunette v. Chicago, &c., R. Co., 86 Wis. 197, 1164
Brunke v. Missouri, &c., R. Co., 112 Mo. App. 623, 1822
Brunner v. Blaisdell, 170 Pa. St. 25, 1299, 1309
Brunner, &c., R. Co. v. Central, &c., Co., 18 Ind. App. 174, 581
Bruno v. Brooklyn City R. Co., 55 N. Y. S. 215, 1636
v. Brooklyn City R. Co., 5 Misc. (N. Y.) 327, 1096cz
Brunson v. Morgan, 84 Ala. 598, 529
Brunswick, Inhabitants of, Appellants, 37 Me. 446, 1045
Brunswick & Albany R. R. Co., v. Hughes, 52 Ga. 557, 503
Brunswick, &c., R. Co. v. Moore, 101 Ga. 684, 1096cs, 1638
v. Rothschild, 119 Ga. 604, 1524
v. Wiggins, 113 Ga. 842, 1689g
Brunswick, &c., Co. v. United Gas, &c., Co., 85 Me. 532, 371
v. United States Gas, &c., Co., 35 Am. St. R. 385. 519, 520
Brunswick, &c., Dist. v. Maine Water Co., 99 Me. 371, 1684a, 1684h
Brusberg v. Milwaukee, &c., R. Co., 50 Wis. 231, 1244
Brusch v. St. Paul City R. Co., 52 Minn. 512, 1630
Brush v. City of Detroit, 32 Mich. 43, 1025
Brush Creek Coal, &c., Co. v. Morgan, &c., Co., 136 Fed. 505, 621b
Brush Electric Co. v. Electric Imp. Co., 51 Fed. R. 557, 518
Brush Elec., &c., Co. v. Kelley, 126 Ind. 220, 1096cm
Bruss v. Metropolitan St. R. Co., 73 N. Y. S. 256, 1096ch
Bruty v. Grand Trunk R. Co., 32 Up. Can. Q. B. 66, 1647
Bryan v. Board, 151 U. S. 639, 768
v. Board, 90 Ky. 322, 43
v. Chicago, &c., R. Co., 63 Iowa, 464, 1638
v. Cormick, 1 Cox, 422, 549
v. International, &c., R. Co., (Tex. Civ. App.) 90 S. W. 693, 220
v. Lincoln, 50 Neb. 620, 849
v. Memphis & P. R. Co., 11 Bush, 597, 1434
v. Missouri, &c., R. Co., 32 Mo. App. 228, 1585, 1608
v. Southern R. Co., 128 N. Car. 387, 1329
Bryant v. Chicago, &c., R. Co., 53 Fed. 997, 1784
v. Glidden, 36 Me. 36, 1017, 1041
v. Great Northern Paper Co., 100 Me. 171, 1283
v. Illinois Cent. R. Co., 22 So. 799, 1158
Bryant v. New York, &c., R. Co., 81 Hun, 164, 1306, 1314
v. Omaha, &c., R. Co., 98 Ia. 483, 1812
v. Rich, 106 Mass. 108, 1096dc, 1638
v. Southwestern R. Co., 68 Ga. 805, 1553
v. Thompson, 27 Fed. 881, 656
Bryant Bros. Co. v. Robinson, 149 Fed. 321, 655a, 656a
Bryce v. Burlington, &c., R. Co., 128 Ia. 483, 1296a
v. Chicago, &c., R. Co., 103 Ia. 665, 1269, 1271a
v. Railway Co., 129 Fed. 966, 1634
Brymer v. Butler, &c., Co., 179 Pa. 331, 1684a, 1684b
v. Southern Ry. Co., 90 Cal. 496, 1309, 1697
Bryon v. Carter, 22 La. Ann. 98, 99
Bryson v. Chicago, &c., R. Co., 89 Iowa, 677, 1093, 1095
v. Southern R. Co., 54 S. E. 434, 656a
Bube v. Birmingham, &c., Co., 140 Ala. 276, 1817
Buce v. Eldon, 122 Ia. 92, 1815
Buchanan v. Berkshire Life Ins. Co., 96 Ind. 510, 506, 549
v. Chicago, &c., R. Co., 75 Iowa, 393, 1166
v. Comstock, 57 Barb. (N. Y.) 568, 558
v. Hunt, 98 N. Y. 560, 624
v. Litchfield, 102 U. S. 278, 845, 888, 890, 895, 897
v. Logansport, &c., R. Co., 71 Ind. 265, 949, 998
v. Smith, 43 Miss. 90, 1066
v. Talbot Co., 47 Md. 293, 746
v. West Jersey R. Co., 52 N. J. L. 265, 1817
Buchanan, &c., Bank v. Cedar Rapids, &c., R. Co., 62 Iowa, 494, 959
Bucher v. Dillsburg, &c., R. Co., 76 Pa. St. 306, 103, 114
v. New York Cent. R. Co., 98 N. Y. 128, 1628, 1643
v. Railroad Co., 125 U. S. 555, 768, 1339, 1663
Buchner v. Chicago, &c., R. Co., 60 Wis. 264, 949, 1102, 1112, 1113
Buchholz v. New York, &c., R. Co. (N. Y.) 43 N. E. 76, 1092, 1096
Bucholtz v. Radcliffe, 129 Ga. 27, 1689g
Buck v. Brian, 2 How. (Miss.) 874, 1071
v. Colbath, 3 Wall. (U. S.) 334, 553
v. Manhattan, &c., R. Co., 15 Daly (N. Y.), 550, 1639, 1843
v. Manhattan R. Co., 15 Daly (N. Y.), 276, 1831, 1841
v. Miller, 147 Ind. 586, 743a, 752
v. Pennsylvania R. Co., 150 Pa. St. 170, 1516
v. People's St. R. Co., 108 Mo. 179, 1096cr
v. Ross, 57 Am. St. 67, 91
v. Seymour, 46 Conn. 156, 323, 482, 497
Buckalew v. Quincy, &c., R. Co., 107 Mo. App. 575, 1782
Buckeye, The, 7 Biss. 23, 1463
Buckeye, &c., Co. v. Harvey, 92 Tenn. 115, 159
Buckfield, &c., R. Co. v. Irish, 39 Me. 44, 122, 149

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Buckland v. Adams Ex. Co., 97 Mass. 124, 1401, 1417, 1435, 1453, 1501, 1507
v. New York, &c., R. Co., 181 Mass. 3, 1587, 1634
Buckler v. Ellers, 72 Ind. 220, 1364
Bucklew v. Central, &c., R. Co., 64 Iowa, 603, 1337
Buckley v. Fenniss, 17 Wend. 504, 1543
v. Furniss, 15 Wend. 137, 1539, 1539a, 1543
v. Gould, &c., R. Co., 14 Fed. 833, 1288, 1317
v. Great Western R. Co., 18 Mich. 121, 1464, 1528, 1712
v. New York, &c., R. Co., 27 Conn. 479, 663
v. Old Colony, &c., R. Co., 161 Mass. 26, 1578, 1592
Buckman v. State, 34 Fla. 48, 644
Buckner v. Hart, 52 Fed. R. 835, 1080
v. Richmond, &c., R. Co., 72 Miss. 878, 1357
Bucksport, &c., R. Co. v. Brewer, 67 Me. 295, 115, 121, 386, 852
v. Buck, 68 Me. 81, 45, 111, 164
v. Buck, 65 Me. 536, 116
Buckwalter v. Atchison, &c., R. Co., 64 Kan. 403, 1049
Budd v. Camden Horse R. Co., 70 N. J. L. 782, 1096c
v. London, &c., Railway Co., 4 Ry. & Canal Tr. Cas. 393, 1676, 1678, 1684
v. Meriden, &c., Co., 69 Conn. 272, 1361a
v. Multnomah, &c., Co., 15 Ore. 404, 1, 1096b
v. Multnomah St. R. Co., 15 Ore. 413, 134, 135, 137, 149, 154, 193, 197
v. Multnomah St. R. Co., 12 Ore. 272, 79
v. New York, 143 U. S. 517, 671, 672, 1096ah, 1593
v. People, 143 U. S. 517, 703
v. Walla Walla, &c., Co., 2 Wash. Ter. 347, 262
Buel v. New York, &c., R. Co., 31 N. Y. 314, 1635, 1642
Buell v. Buckingham, 16 Iowa, 284, 169, 263, 276, 424, 602, 604
Buenemann v. St. Paul, &c., R. Co., 32 Minn. 390, 1590, 1628, 1641
Buffalo, Matter of, 139 N. Y. 422, 1013, 1014
Buffalo, Matter of, 68 N. Y. 167, 74, 921, 954, 966, 974, 1104
Buffalo v. New York, &c., R. Co., 152 N. Y. 276, 670a
v. Pratt, 131 N. Y. 293, 1085
v. Webster, 10 Wend. (N. Y.) 99, 192
Buffalo Bayou, &c., R. Co. v. Ferris, 26 Tex. 588, 954, 960, 988, 990, 1012, 1017, 1051, 1055
Buffalo Cemetery v. Buffalo, 46 N. Y. 506, 781
Buffalo Creek, &c., Co. v. Hodges, 98 S. W. 274, 1807
Buffalo & J. R. R. Co. v. Gifford, 87 N. Y. 294, 102, 103, 122
Buffalo, &c., Brick Co. v. American, &c., Co., 141 Fed. 211, 621b
Buffalo, &c., R. Co., In re, 32 Hun (N. Y.), 289, 1041, 1046
Buffalo, &c., R. Co. v. Brainard, 9 N. Y. 100, 952, 953, 960
v. Buffalo, 5 Hill (N. Y.), 209, 723
Buffalo, &c., R. Co. v. Cary, 26 N. Y. 75, 18, 36
v. Clark, 22 Hun (N. Y.), 359, 153
v. Dudley, 14 N. Y. 336, 13a, 45, 78, 102, 128, 140, 150, 252, 886
v. Falconer, 103 U. S. 821, 819, 820
v. Harvey, 107 Pa. St. 319, 500, 1048
v. Hatch, 20 N. Y. 157, 18, 36
v. McNaughton, 90 Hun (N. Y.), 74, 1060
v. New York, &c., R. Co., 25 N. Y. S. 265, 1135
v. New York, &c., R. Co., 25 N. Y. S. 155, 116
v. O'Hara (Pa.), 9 Am. & Eng. R. Cas. 317. 1606, 1608
v. Overton, 35 Hun (N. Y.), 157, 963
v. Phelps, 102 N. Y. S. 214, 1053
v. Pottle, 23 Barb. (N. Y.) 21, 121
v. Sheeps, 102 N. Y. S. 214, 994
Buffalo, &c., Co., In re, 32 Hun, 289, 1017, 1041
Buffalo, &c., Co. v. Delaware, &c., R. Co., 130 N. Y. 152, 699, 1142, 1145
v. Whitehead, 8 Grant's Ch. (U. C.) 157, 1058
Buffett v. Troy, &c., R. Co., 36 Barb. (N. Y.) 420, 38, 341, 1776
v. Troy, &c., R. Co., 40 N. Y. 168, 38, 41, 391, 1434
Buffington v. Bardon, 80 Wis. 635, 13
Buffum v. New York, &c., R. Co., 4 R. I. 221, 1037
Bufkin v. Boyce, 104 Ind. 53, 560
Buford v. Keokuk Northern Line, &c., Co., 3 Mo. App. 159, 612
Buhl v. Fort St., &c., Co., 98 Mich. 590, 981, 1086
Buhrens v. Dry Dock, &c., R. Co., 53 Hun (N. Y.), 571, 1096cl
Buie v. Chicago, &c., R. Co., 95 Tex. 51, 621
Bukman v. Levi, 3 Camp, 414, 1410
Bulger v. Albany R. Co., 42 N. Y. 459, 1095, 1096cl
Bulkley v. Naumkeag, &c., Cotton Co., 24 How. (U. S.) 386, 1463
v. New York, &c., R. Co., 27 Conn. 479, 668, 1082, 1096o, 1181
v. Whitcomb, 49 Hun (N. Y.), 290, 186
Bull v. Conroe, 13 Wis. 233, 669
v. Mobile, &c., R. Co., 67 Ala. 206, 1300
v. Read, 13 Gratt. (Va.) 78, 751
Bullard v. Bank, 18 Wall. (U. S.) 589, 193
v. Boston, &c., R., 64 N. H. 27, 1704
v. Chaffee, 61 Neb. 83, 624
v. Des Moines, &c., R. Co., 122 U. S. 167, 795
v. Northern Pac. R. Co., 10 Mont. 168, 1565
v. Southern R. Co., 116 Ga. 644, 1154
Bulliss v. Chicago, &c., R. Co., 76 Iowa, 680, 1233, 1240, 1241
Bullock v. Delaware, &c., R. Co., 60 N. J. L. 24. 1594a, 1647
v. Falmouth, &c., Co., 85 Ky. 184, 102, 103, 109
v. Houston, &c., R. Co., 55 S. W. 184, 1578, 1578a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Bullock v. Wilmington, &c., R. Co., 105 N. Car. 180, 1153, 1589
Bumbear v. United Trac. Co., 198 Pa. St. 198, 1096cz
Bumpas v. Wabash R. Co., 103 Mo. App. 202, 1185
Bumpass v. Webb, 4 Port. (Ala.), 65, 1059
Bunch v. Great Western R. Co., L. R. 17 Q. B. Div. 215, 1653, 1654
Buncomb Co. v. Payne, 120 N. Car. 432, 913
Buncombe Co. Commrs. v. Tommey, 115 U. S. 122, 1066
Buncombe, &c., Co. v. McCarson, 1 Dev. & B. 306, 266
Bunderson v. Burlington, &c., R. Co., 40 Neb. 545, 1057
Bundy v. Summerland, 142 Ind. 92, 752
Bunn's Appeal, 105 Pa. St. 49, 182, 626
Bunnell v. Rio Grande R. Co., (Utah) 44 Pac. 927, 1204
Bunt v. Sierra, &c., Co., 133 U. S. 438, 1313
v. Sierra, &c., Co., 53 Ga. 630, 1303
Bunting v. Cent. Pac. R. Co., 166 Nev. 277, 1158
v. Hogsett, 139 Pa. St. 363, 1799
v. Pennsylvania R. Co., 118 Pa. St. 204, 1635
Bunyan v. Citizens' St. R. Co., 127 Mo. 12, 1095, 1096cq
Burbank v. Dennis, 101 Cal. 90, 12
v. Fay, 65 N. Y. 57, 965, 980
v. Illinois Cent. R. Co., 42 La. Ann. 1156, 1256
v. Pillsbury, 48 N. H. 475, 420
Burbridge v. Kansas City C. R. Co., 36 Mo. App. 669, 1096cs, 1392
v. New Albany, &c., R. Co., 9 Ind. 546, 934, 1003, 1003b
Burch v. Baltimore, &c., R. Co., 3 App. Cas. (D. C.) 346, 1637
v. Davenport, &c., R. Co., 46 Iowa, 449, 654
v. Southern Pac. R. Co., 140 Fed. 270, 1295, 1697, 1766
v. Taylor, 1 Wash. 245, 179, 182
v. West, 33 Ill. App. 359, 537
Burden v. Stein, 27 Ala. 104, 952
Burdett v. Canadian Pac. R. Co., 10 Manitoba 5, 1524, 1527
Burdick v. Haggart, 4 Dak. 13, 1704
v. People, 149 Ill. 600, 662, 728, 1599
v. Peterson, 2 McCrary (U. S. C. C.), 135, 647
Burdict v. Missouri, &c., R. Co., 123 Mo. 221, 1272, 1364, 1825
Burg v. Chicago, &c., R. Co., 90 Iowa, 106, 670, 1082, 1257, 1700, 1794
Burger v. Grand Rapids, &c., R. Co., 22 Fed. R. 561, 339
v. Missouri Pac. R. Co., 112 Mo. 238, 1169
v. St. Louis, &c., R. Co., 123 Mo. 679, 1211
Burges v. Mabin, 70 Iowa, 633, 842, 859, 861
Burgess v. Great Western, &c., R. Co., 6 C. B. N. S. 923, 1590
v. St. Louis County R. Co., 99 Mo. 496, 167, 353
v. Salt Lake City R. Co., 17 Utah, 406, 1096ci
v. Seligman, 107 U. S. 20, 768, 915
Burgess v. Western Union Tel. Co., 92 Tex. 125, 1506
Burgevin v. New York, &c., R. Co. 69 Hun, 479, 1652, 1659
Burghall v. Howard, 1 H. Bl. 366, 1539
Burgher v. Chicago, &c., R. Co., 105 Ia. 335, 1499, 1552
Burgin v. Louisville, &c., R. Co., 97 Ala. 274, 1314
v. Richmond R. Co., 115 N. Car. 673, 1628
Burgoyne v. Board of Supervisors, 5 Cal. 9, 675
Burhop v. Milwaukee, 21 Wis. 257, 876
Burian v. Seattle Elec. R. Co., 26 Wash. 606, 1096ce, 1096cj
Burk v. Arcata, &c., R. Co., 125 Cal. 364, 1378
v. President, &c., Canal Co., 86 Hun, 519, 1154
v. Simonson, 104 Ind. 173, 988
Burke v. Anderson, 69 Fed. R. 814, 1064, 1283
v. Bay City, &c., Co., 110 N. W. 524, 1628
v. Broadway, &c., R. Co., 34 How. Pr. 239, 1262
v. Concord R. Co., 61 N. H. 160, 38, 366, 452, 1445
v. Cork, &c., R. Co., 10 Cent. L. J. 48, 1367
v. Dillingham, 60 Fed. R. 729, 577
v. Ellis, 105 Tenn. 702, 576
v. Frye (Neb.), 62 N. W. 476, 210
v. Louisville, &c., R. Co., 7 Heisk. (Tenn.) 451, 1238, 1239, 1242, 1243, 1243a, 1647, 1650a
v. McDonald, 2 Idaho, 1022, 1017
v. Manchester, &c., R. Co., 18 W. R. 694, 1589
v. Missouri, &c., R. Co., 51 Mo. App. 491, 1582
v. St. Louis &c., R. Co., 120 Mo. App. 683, 1628a
v. Smith, 16 Wall. (U. S.) 390, 111, 151, 176, 355, 440
v. Southeastern R. Co., L. R. 5 C. P. Div. 1, 1494, 1593, 1624, 1627, 1661
v. State, 34 Ohio St. 79, 732
v. Wetherbee, 98 N. Y. 562, 1274
Burkham v. Ohio, &c., R. Co., 122 Ind. 344, 630, 1008
Burkhart v. Commonwealth, 83 S. W. 633, 731
Burkholder v. Beetem, 65 Pa. St. 496, 383
v. Union Trust Co., 82 Mo. 572, 714
Burkley v. New York, &c., R. Co., 27 Conn. 479, 1209
Burling v. Illinois, &c., R. Co., 85 Ill. 18, 1251
Burlingame v. Parce, 12 Hun (N. Y.) 144, 546
Burlington v. Burlington, &c., R. Co., 49 Ia. 144, 1096j, 1096ag
v. Newport News, &c., R. Co., 32 W. Va. 436, 1218
v. Quick, 47 Iowa, 222, 789
Burlington, &c., R. Co. v. Arms, 15 Neb. 69, 1463, 1527
v. Boestler, 15 Iowa, 555, 115, 117, 121, 386
v. Chicago, &c., R. Co., 15 Neb. 390, 1563, 1566, 1567

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Burlington, &c., R. Co. v. Clay County, 13 Neb. 367, 872
v. Crockett, 49 Neb. 138, 1316
v. Dey, 82 Ia. 312, 669, 682, 688, 689, 691, 701, 715, 1395, 1684l, 1685
v. Dobson, 17 Neb. 450, 1044
v. Dunn, 122 U. S. 513, 650a, 654, 655
v. Johnson, 38 Kan. 142, 1003c
v. Koonce, 34 Neb. 479, 1102, 1176
v. Northwestern, &c., R. Co., 31 Fed. R. 652, 1647
v. People, 77 Pac. 1026, 1111
v. Reinhackle, 15 Neb. 279, 1048, 1085, 1087
v. Rose, 11 Neb. 177, 200, 1582, 1629
v. Schluntz, 14 Neb. 421, 1037, 1038
v. Schweikart, 10 Colo. 178, 982
v. Shoemaker, 18 Neb. 369, 1207
v. Stewart, 39 Iowa, 267, 897, 1008
v. Thompson, 31 Kan. 180, 624, 627
v. Webb, 18 Neb. 215, 668
v. Wendt, 12 Neb. 76, 1160, 1214
v. Westover, 4 Neb. 268, 1224, 1226, 1231, 1238, 1242
v. White, 28 Neb. 166, 994
v. Whitney, 43 Ia. 113, 122
Burlington, &c., Co. v. Spearman, 12 Iowa, 112, 785, 786, 788
Burmeister, In re, 76 N. Y. 174, 783
Burmeister v. New York, &c., Railroad Co. (15 J. & S.) 47 N. Y. S. C. 264, 1063
Burmester v. Norris, 6 Exch. 796, 440
Burnell v. New York, &c., R. Co., 45 N. Y. 184, 1463, 1651, 1652, 1658, 1659, 1660
v. West Side, &c., R. Co., 87 Wis. 387, 1296
Burnham v. Railroad Co., 63 Me. 298, 1637
Burns v. Chicago &c., R. Co., 104 Wis. 646, 1553, 1554, 1606
v. Johnston, &c., R. Co., 213 Pa. St. 143, 1642
v. Kansas City, &c., R. Co., 129 Mo. 41, 1268
v. Pennell, 2 H. L. Cases, 497, 269, 318, 321, 634
Burnett v. Great North of Scotland R. Co., L. R. 10 App. Cas. 147, 362, 668
v. Hoffman, 40 Neb. 569, 510
v. Maloney, 97 Tenn. 697, 879
v. Nicholson, 86 N. Car. 99, 1057d
v. Pennsylvania R. Co., 176 Pa. St. 45, 1494
v. Pennsylvania, &c., R. Co., (Pa. St.) 34 Atl. R. 972, 1608, 1506
Burnett &c., Co. v. Central &c., R. Co., 117 Ga. 521, 622
Burney v. Ludeling, 47 La. Ann. 73, 362
Burnham v. Bowen, 111 U. S. 776, 528, 580
v. Goffstown, 50 N. H. 560, 1017
v. Grand Trunk R. Co., 63 Me. 298, 1593, 1595, 1602
v. Railway Co., 81 Miss. 46, 1484, 1485
v. San Francisco, &c., Co., 76 Cal. 24, 154
Burnham v. Wabash, &c., R. Co., 91 Mich. 523, 1592
Burns v. Bellefontaine R. Co., 50 Mo. 139, 1630
v. Boston El. R. Co., 183 Mass. 96, 1096cz
v. Burns, 131 Fed. 238, 1423
v. Chicago, &c., R. Co., 69 Iowa, 450, 1697
v. Cork, &c., R. Co., 13 Irish C. L. R. 543, 1585
v. Delaware, &c., R. Co., 70 N. J. L. 745, 1288
v. Grand Rapids, &c., R. Co., 113 Ind. 169, 1361, 1370, 1371
v. Louisville, &c., R. Co., 136 Ala. 522, 1166
v. Metropolitan Bld. Ass'n, 2 Mackey (D. C.), 7, 62
v. Metropolitan St. R. Co., 66 Kan. 188, 1096cj, 1689g
v. Milwaukee, &c., R. Co., 9 Wis. 450, 1050, 1052
v. Multnomah R. Co., 8 Sawyer (U. S.), 543, 1019, 1043
v. North Chicago, &c., R. Co., 65 Wis. 312, 1153, 1157
v. Pethcal, 75 Hun, 437, 1283
v. Poulson, L. R. 8 C. P. 563, 214
v. Washburn, 160 Mass. 457, 1283, 1338, 1347
v. Worcester Consol. Co. (Mass.) 78 N. E. 740, 1096bs
Burnsville Turp. Co. v. McCalla, 119 Ind. 382, 637
Burnwell v. Raleigh, &c., R. Co., 94 N. Car. 451, 1413
Burr v. Bucksport, &c., R. Co., 64 Me. 130, 1044
v. Carbondale, 76 Ill. 455, 825
v. Chariton County, 2 McCrary (U. S.), 603, 836
v. Express Co., 71 N. J. L. 263, 1520
v. McDonald, 3 Gratt. (Va.) 215, 206, 243, 244, 271, 604
v. Pennsylvania R. Co., 64 N. J. L. 30, 1638b, 1633, 1644
v. Wilcox, 22 N. Y. 551, 155
Burrall v. Bushwick R. R. Co., 75 N. Y. 211, 76, 97, 98, 237, 304, 426
Burrell v. Gowen, 134 Pa. St. 527, 1297
v. North, 2 Car. & Kir. 680, 1409
Burrill v. Nahant Bank, 2 Metc. (Mass.) 163, 224, 251, 258, 347, 411, 491
Burris v. Minneapolis, &c., R. Co., 95 Minn. 30, 1282
Burritt v. New Haven, 42 Conn. 174, 1092, 1096ai, 1102, 1113
Burroughes v. Bayne, 29 L. J. Exch. 185, 1537
Burroughs v. Grand Trunk R. Co., 67 Mich. 351, 1478, 1501
v. Housatonic R. Co., 15 Conn. 124, 1057, 1221, 1224, 1242
v. North Carolina R. R. Co., 67 N. C. 376, 174, 304, 305
v. Norwich, &c., Co., 100 Mass. 26, 303, 471, 1406, 1437, 1445
Burrow v. Terre Haute, &c., R. Co., Ind. 432, 920, 925, 933, 935, 949, 986
Burrows v. Smith, 10 N. Y. 550, 14, 112, 122
Burt v. Douglas, &c., R. Co., 83 Wis. 229, 1096cu, 1630

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Burt v. Farrar, 24 Barb. (N. Y.) 518, 108
v. Lima, &c., Co., 21 N. Y. S. 482, 1076
v. Merchants' Ins. Co., 106 Mass. 356, 950, 953
v. Rattle, 31 Ohio St. 116, 83, 86
v. Wigglesworth, 117 Mass. 302, 1035
Burtis v. Buffalo, &c., R. Co., 24 N. Y. 269, 1434, 1439
Burton v. Curyea, 40 Ill. 320, 1428
v. Galveston, &c., R. Co., 61 Tex. 526, 1063
v. Philadelphia, &c., R. Co., 4 Harr. (Del.) 252, 1264
v. Schildbach, 45 Mich. 504, 564
v. Wilkinson, 18 Vt. 186, 1537
Burton Stock Car Co. v. Chicago, &c., R. Co., 1 Interstate Com. 329, 1566, 1677
Burwell v. Raleigh, &c., R. Co., 94 N. Car. 451, 1450, 1695
Busby v. Florida, &c., R. Co., (S. Car.) 23 S. E. 50, 1233
v. St. Louis, &c., R. Co., 81 Mo. 43, 1185, 1188
Busch v. Buffalo Creek R. Co., 29 Hun (N. Y.), 112, 1333b
Buscher v. Scully, 107 Ind. 246, 1704
Busenback v. Attica, &c., Co., 43 Ind. 265, 18, 36
Busenbarke v. Ramey, 53 Ind. 499, 1429
Busey v. Hooper, 35 Md. 15, 36, 155, 166, 176
Bush v. Marshall, 6 How. 385, 810
v. Nance, 61 Miss. 237, 627
v. St. Joseph, &c., R. Co., 113 Mich. 513, 1096ch
v. St. Louis, &c., R. Co., 3 Mo. App. 62, 1526, 1535
v. Union Pac. R. Co., 62 Kan. 709, 1166, 1171, 1179j
Bush & Son's Co. v. Thompson, 65 Fed. R. 812, 1527
Bushby v. New York, &c., R. Co., 107 N. Y. 374, 1318
Bushee v. Freeborn, 11 R. I. 149, 307
Bushnell v. Consolidated, &c., Co., 138 Ill. 67, 190
v. Wabash R. Co., 118 Mo. App. 618, 1548a, 1557
Business Men's Assn. v. Chicago, &c., R. Co., 2 Intrst. Com. 41, 1686
v. Chicago, &c., R. Co., 2 Intrst. Com. Com. 48, 695, 1682, 1684
Bussey v. Gulf, &c., R. Co., 79 Miss. 597, 1361
Bussian v. Milwaukee, &c., R. Co., 56 Wis. 325, 1264
Buston v. Pennsylvania R. Co., 119 Fed. 808, 1432, 1443a, 1449
v. Pennsylvania R. Co., 116 Fed. 235, 1443a
Buswell v. Supreme Sitting, &c., 161 Mass. 224, 555
Butcher v. Dillsburg, &c., R. R. Co., 76 Pa. St. 306, 102
v. London, &c., R. Co., 16 Com. B. 13, 1654, 1659
v. Vaca, &c., R. Co., 67 Cal. 518, 1231
Butchers', &c., Bank v. McDonald, 130 Mass. 264, 619
Butchers', &c., Co. v. Crescent City, &c., Co., 111 U. S. 746, 969
v. Louisville, &c., R. Co., 67 Fed. R. 35, 1676, 1677
Butler's Appeal, 73 Pa. St. 448, 950
Butler v. Chicago, &c., R. Co., 87 Iowa, 20, 1344, 1355
v. Cornwall, &c., Co., 22 Conn. 335, 256, 275
v. Dunham, 27 Ill. 473, 816, 849, 903
v. East Tenn., &c., R. Co., 8 Lea, 32, 1463, 1464
v. Fayette County, 46 Iowa, 326, 872
v. Gettysburg, &c., R. Co., 126 Pa. 160, 1179b
v. Glen Cove Starch Co., 18 Hun (N. Y.), 47, 80
v. Glens, &c., R. Co., 121 N. Y. 112, 173
v. Heane, 2 Camp, 415, 1502
v. Hudson River R. Co., 3 E. D. Smith, 571, 1649
v. Manhattan R. Co., 143 N. Y. 417, 219, 1822
v. Murray, 30 N. Y. 88, 1571
v. Nevin, 88 Ill. 575, 782
v. New York, &c., R. Co., 177 Mass. 191, 1166
v. Peck, 16 Ohio St. 335, 1057f
v. Pittsburgh R. Co., 18 Ind. App. 656, 1692
v. Pittsburgh, &c., R. Co., 139 Pa. St. 195, 1096cz, 1402, 1630
v. Rahm, 46 Md. 541, 342, 486, 490, 499, 501
v. St. Paul, &c., R. Co., 59 Minn. 135, 1628
v. Sewer Commissioners, 39 N. J. L. 665, 982
v. Thomasville, 74 Ga. 570, 955
v. Tifton, &c., R. Co., 121 Ga. 817, 931a
v. Woolcott, 2 B. & P. N. R. 64, 1570
v. Wooster, 112 Mass. 541, 1012
Butman v. Fowler, 17 Ohio. 101, 1034
v. Vermont Central R. Co., 27 Vt. 500, 1004
Butner v. Western, &c., Telegraph Co., 2 Okla. 234, 1499
Butte, &c., R. Co. v. Montana, &c., R. Co. 16 Mont. 504, 960, 961, 1116, 1119, 1122
Buttelli v. Jersey City, &c., R. Co., 59 N. J. L. 302, 1096cq
Butterfield v. Cowing, 112 N. Y. 486, 534
v. Ontario, 44 Fed. R. 171, 486
v. Spencer, 1 Bosw. (N. Y.) 1, 78
v. Western R. Co., 10 Allen, 532, 1165
Butternuts, &c., T. Co. v. North, 1 Hill (N. Y.), 518, 121, 928
Butterworth, &c., Co. v. Central R. Co., 66 Atl. 198, 1000a
Buttner v. South Baltimore, &c., Co., 101 Md. 168, 1277
Button v. Frink, 51 Conn. 342, 1689g
v. Hoffman, 61 Wis. 20, 168, 170, 606
v. Hudson River R. Co., 18 N. Y. 248, 1644
Buttrick v. Nashua, &c., R. R. Co., 62 N. H. 413, 92, 98, 260
Butts v. St. Louis, &c., R. Co., 98 Mo. 272, 1166, 1179l
Buttz v. Northern Pac. R. Co., 119 U. S. 55, 794
Butz v. Muscatine, 8 Wall. (U. S.) 575, 836, 918

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Buxby v. Philadelphia, &c., R. Co., 126 Pa. St. 559, 1168
Buxton v. Northeastern, &c., R. Co., L. R. 3 Q. B. 548, 476, 1190, 1270
Buzby v. Philadelphia, &c., R. Co., 126 Pa. St. 559, 1095, 1096cb, 1096cp
Buzzell v. Loconia Manuf. Co., 48 Mo. 113, 1297, 1307, 1311
Bybee v. Oregon, &c., R. R. Co., 139 U. S. 663, 607, 801, 802
Byers v. Denver, &c., R. Co., 13 Colo. 552, 422
v. Nashville, &c., R. Co., 94 Tenn. 345, 1377, 1700
v. Rollins, 13 Colo. 22, 620
Byrd v. Hudson, 113 N. Car. 203, 1704
Byrne v. Boadle, 2 Hurl. & C. 722, 1263, 1464
v. Kansas City, &c., R. R. Co., 61 Fed. R. 605, 6, 1131, 1135, 1267a, 1573
v. Fargo, 36 Misc. (N. Y.) 543, 1530
v. Learned, 77 N. E. 317, 1352
v. Minneapolis, &c., R. Co., 38 Minn. 212, 1057f
v. New York, &c., 83 N. Y. 620, 1172, 1261
v. New York, &c., R. Co., 104 N. Y. 362, 1093, 1154, 1156, 1249, 1252
v. New York, &c., R. Co., 94 N. Y. 12, 1151a
v. Schuyler, &c., Co., 65 Conn. 336, 165, 167, 634
v. Wilson, 15 Irish C. L. 332, 213
v. Weeks, 7 Bosw. (N. Y.) 372, 1420
Byrnes v. Boston, &c., R. Co., 181 Mass. 322, 1257
v. New York, &c., R. Co., 113 N. Y. 251, 1326, 1327
v. New York, &c., R. Co., 71 Hun, 209, 1294
Byron v. Lynn, &c., R. Co., 177 Mass. 303, 1096cu, 1096cv, 1096cx
Bywaters v. Paris, &c., R. Co., 73 Tex. 624, 47

C

Cabeen v. Campbell, 30 Pa. St. 254, 1543
Cable v. Ellis, 110 U. S. 389, 647
v. McCune, 26 Mo. 371, 185
Cabot, &c., Bridge v. Chaplin, 6 Cush. (Mass.) 50, 18
Cadle v. Muscatine Western R. Co., 44 Iowa, 11, 1085
Cadmus v. Central, &c., R. Co., 31 N. J. L. 179, 1042
Cadwallader v. Grand Trunk R. Co., 9 L. Canada, 169, 1647, 1660
v. Louisville, &c., R. Co., 128 Ind. 518, 1165, 1171
Cady v. Sanford, 53 Vt. 632, 281
Caffyn v. State, 91 Ind. 324, 863, 874a, 927
Cafiero v. Welsh, 8 Phila. (Pa.) 130, 1419
Cage v. Louisville, &c., R. Co. (Miss.), 7 So. 509, 1204
v. Trager, 60 Miss. 563, 1046a
Cagill v. Wooldridge, 8 Baxt. 580, 555, 570
Cagwin v. Town of Hancock, 84 N. Y. 532, 844, 897, 900
Cahall v. Citizens', &c., Ass'n, 61 Ala. 232, 619
Caben v. Platt, 69 N. Y. 348, 1724
Cahill v. Chicago, &c., R. Co., 74 Fed. 285, 1154
v. Cincinnati, &c., R. Co., 92 Ky. 345, 1150, 1174
v. Hilton, 106 N. Y. 477, 1278a, 1303
v. Kalamazoo Mut. Ins. Co., 2 Doug. (Mich.) 124, 194, 197, 244, 248, 263
v. London, &c., R. Co., 10 Com. B. (N. S.) 154, 1649
v. Railroad Co., 13 Ky. 714, 1158
Cahow v. Chicago, &c., R. Co., 113 Ia. 224, 1796
Cahn v. Barnes, 5 Fed. R. 326, 806
v. Michigan Cent. R. Co., 71 Ill. 96, 1518, 1535
Cain v. Chicago, &c., R. Co., 54 Ia. 255, 1081
v. Commissioners, 86 N. Car. 8, 781
v. Macon, &c., St. R. Co., 97 Ga. 298, 1096cj
Cairns v. Northeastern R. Co., 4 Ry. & Canal T. Cas. 221, 1686
v. Robins, 8 M & W. 258, 1535
Cairo v. Zane, 149 U. S. 122, 835, 841, 869, 876, 913
Cairo, &c., Ry. Co. v. Brevoort, 62 Fed. R. 129, 632, 977, 987, 1057, 1057f
v. Cauble, 85 Ill. 555, 1071
v. Cauble, 4 Ill. App. 133, 1071
v. Delap, 7 Brad. (Ill.) 60, 119, 120
v. Fackney, 78 Ill. 116, 1073
v. Mahoney, 82 Ill. 73, 222, 223
v. People, 92 Ill. 170, 1076
v. Peoples, 92 Ill. 97, 670b, 1183
v. Sparta, 77 Ill. 505, 824, 843, 879
v. Stevens, 73 Ind. 278, 977, 1057, 1057f
v. Turner, 31 Ark. 494, 950, 954, 986, 1004, 1008, 1048
v. Trout, 32 Ark. 17, 1012, 1048
v. Warrington, 92 Ill. 157, 670b
v. Watson, 85 Ill. 531, 1070
v. Woolsey, 85 Ill. 370, 1038, 1057, 1063, 1209
Cake v. Philadelphia, &c., R. Co., 87 Pa. St. 307, 974, 1053
Calahan v. Babcock, 21 Ohio St. 281, 1539a, 1543
Calcasieu Lumber Co. v. Harris, 77 Tex. 18, 394, 403, 934a, 938
Calder v. Bull, 3 Dall. 386, 677, 699
v. Police Jury, 44 La. Ann. 173, 1010
Calderon v. Atlas Steamship Co., 64 Fed. R. 874, 1502, 1510
v. Atlas Steamship Co., 170 U. S. 272, 1510
Caldwell v. East Broad Top, &c., R. Co., 169 Pa. St. 99, 362
v. Erie Transfer Co., 33 N. Y. S. 993, 1658
v. Lawrence, 10 Wis. 331, 1073
v. Lincoln City, 19 Neb. 569, 751
v. Nat. Mohawk Valley Bank, 64 Barb. (N. Y.) 333, 212
v. New Jersey, &c., Co., 47 N. Y. 282, 1583, 1587
v. New York, &c., R. Co., 111 App. Div. (N. Y.) 164, 996e
v. North Carolina, 187 U. S. 622, 754, 1665
v. Richmond, &c., R. Co., 89 Ga. 550, 1573, 1627a, 1689h
v. Seaboard Air Line R. Co., 73 S. Car. 443, 1339
v. Vicksburg, &c., R. Co., 41 La. Ann. 624, 1105

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Caledonia, The, 157 U. S. 124, 1724
Caledonia, The, 43 Fed. 681, 1423
Caledonian R. Co. v. Ogilvy, 2 Macq. H. L. Cas. 229, 1113
v. Sprot, 2 Jur. (N. S.) 623, 946a
v. Walker's Trustees, L. R. 7 App. Cas. 259, 978
Caledonian, &c., R. Co. v. North British, &c., R. Co., 3 Nev. & Macq. R. Cas. 403, 1667
Caledonian, &c., Co. v. Helensburgh, 2 Macq. 391, 14
Calender, &c., Co. v. Chicago, &c., R. Co., 109 N. W. 402, 1450
Caley v. Philadelphia, &c., R. Co., 80 Pa. St. 363, 111, 122
Calhoun v. Gulf, &c., R. Co., 84 Tex. 226, 1701
v. Memphis, &c., R. R., 2 Flip (U. S. C. C.), 442, 4, 495, 497
v. Paducah, &c., R. R. Co., 9 Cent. L. J. 66, 497
v. Pullman Palace Car Co., 149 Fed. 546, 1616, 1617a
Calhoun Co. v. Galbraith, 99 U. S. 214, 895a
California v. Central Pac. R. Co., 127 U. S. 1, 15, 22, 25, 766, 778, 1391, 1663, 1665, 1671, 1673
v. Central Pac. R. Co., 2 Interstate Com. 153, 34
v. Southern Pac. Co., 157 U. S. 229, 914
California Bank v. Kennedy, 167 U. S. 362, 370
California Ins. Co. v. Union Compress Co., 133 U. S. 387, 1413, 1488
California Powder Works v. Atlantic, &c., R. Co., 113 Cal. 329, 1466, 1507, 1513
California State Tel. Co. v. Alta T. Co., 22 Cal. 398, 32, 968
California, &c., Land Co. v. Munz, 29 Fed. R. 837, 796
California, &c., R. Co. v. Armstrong, 46 Cal. 85, 998
v. Butte Co., 18 Cal. 671, 874
v. Colton, &c., Co. (Cal.), 14 Am. & Eng. R. Cas. 194, 985
v. Colton, &c., Co. (Cal.), 2 Pacific R. 38, 1028
v. Frisbie, 41 Cal. 356, 1039, 1041
v. Gould, 21 Cal. 254, 1025
v. Hooper, 76 Cal. 404, 954, 956, 1026, 1029
v. Kimball, 61 Cal. 90, 954, 985
v. Southern Pacific R. Co., 67 Cal. 59, 996, 998, 1029, 1120
v. Southern, &c., R. Co., 65 Cal. 295, 1053
v. Southern, &c., R. Co., 65 Cal. 409, 1014
California, &c., v. Callender, 94 Cal. 120, 115
California, &c., Co., In re, 110 Fed. 678, 1299
California, &c., Co. v. Central, &c., Co., 47 Cal. 528, 925, 966, 986, 1054
v. Russell, 88 Cal. 277, 111
Calkins v. State, 18 Ohio St. 366, 734
Callaghan v. Delaware, &c., R. Co., 52 Hun (N. Y.), 276, 1171
v. Delaware, &c., R. Co., 5 N. Y. S. 285, 1157
v. Burlington, &c., R. Co., 23 Iowa, 562, 1063
Callahan v. Davis, 90 Mo. 78, 810
v. Eel River, &c., R. Co., 92 Cal. 89, 1259
Callahan v. Gilman, 1 Am. St. 843, 1090
v. Louisville, &c., R. Co., 11 Fed. R. 536, 23, 29
v. St. Louis, &c., R. Co., 170 Mo. 473, 1355
Callan v. Wilson, 127 U. S. 540, 529
Callanan v. Shaw, 19 Iowa, 183, 558
v. Windsor, 78 Iowa, 193, 89
Callaway v. Allen, 64 Fed. R. 297, 1301
v. Foster, 93 U. S. 567, 819, 842
Callaway, &c., Co. v. Clark, 32 Mo. 305, 392
Callender v. Painesville, &c., R. Co., 11 Ohio St. 516, 337
Callison v. Hedrick, 15 Gratt. 244, 1007
Calloway v. Mellett, 15 Ind. App. 366, 1593, 1823
Calumet Paper Co. v. Haskell, &c., Co., 144 Mo. 331, 260, 602
v. Knight, &c., Co., 43 Ill. App. 566, 617
Calumet River R. Co. v. Brown, 136 Ill. 322, 1003b
Calvert, &c., R. Co. v. Smith, 68 S. W. 68, 1036, 1036b
Calvo v. Charlotte, &c., R. Co., 23 S. Car. 526, 1268, 1316, 1317
Cambios v. Phila., &c., R. Co., 4 Brewster (Pa.), 563, 32, 33, 1563
Cambria Iron Co. v. Union Trust Co., 154 Ind. 292, 1096al
Cambria St., In re, 75 Pa. St. 357, 783, 1018
Cambridge v. Charlestown, &c., R. Co., 7 Metc. (Mass.) 70, 416, 1106
v. County Commissioners, 117 Mass. 79, 983
v. Railroad Commissioners, 153 Mass. 161, 682, 684
Cambridge R. Co. v. Charles River St. R. Co., 139 Mass. 454, 974
Camden v. Mulford, 26 N. J. L. 49, 865
v. Pennsylvania R. Co., 21 Wis. 582, 1435
v. Stuart, 144 U. S. 104, 90, 91, 110
Camden Interstate R. Co. v. Brown, 139 Fed. 595, 1096cl
Camden, &c., R. Co. v. Baldauf, 16 Pa. St. 67, 1421, 1491, 1502, 1649, 1660, 1661
v. Belknap, 21 Wend. 354, 1577, 1651, 1653
v. Briggs, 22 N. J. L. 623, 41, 715
v. Burke, 13 Wend. (N. Y.) 611, 1583, 1651, 1661
v. Elkins, 36 N. J. Eq. 273, 159, 174
v. Forsyth, 61 Pa. St. 81, 1435, 1446
v. Frazier, 30 Ky. L. 186, 1823
v. Hoosey, 99 Pa. St. 492, 1630
v. Lee (Ky.), 84 S. W. 332, 1096bl
v. May's Landing, &c., Co., 48 N. J. L. 530, 322a, 372, 373, 447
v. Smiley, 27 Ky. L. 134, 996d, 1049d
v. Stetson, 177 U. S. 172, 1699
v. United States, &c., Co., 68 N. J. Eq. 279, 1096bo, 1096ce
v. Williams, 61 N. J. L. 646, 1689l
v. Young, 60 N. J. L. 193, 1096bo
Camden, &c., Safe Co. v. Lord, 67 N. J. Eq. 489, 226
Camden, &c., Co. v. Causch (Pa. St.), 7 Atl. 371, 1608
Cameron v. Board, &c., 47 Miss. 264, 1049
v. Charing Cross R. Co., 16 C. B. N. S. 430, 996

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cameron v. Chicago, &c., R. Co., 51 Minn. 153, 994, 1036
v. Chicago, &c., R. Co., 42 Minn. 75, 990
v. Great Northern R. Co., 9 N. Dak. 124, 1327
v. Hodges, 127 U. S. 322, 655
v. Kenyon, &c., Co., 22 Mont. 312, 231
v. New York, &c., Co., 133 N. Y. 336, 323
v. New York, &c., R. Co., 145 N. Y. 400, 1282, 1292
v. New York, &c., R. Co., 77 Hun (N. Y.), 519, 1795
v. Stephenson, 69 Mo. 372, 846
v. Tome, 64 Md. 507, 487
Cameron Mill, &c., Co. v. Anderson, 98 Tex. 156, 1807
Camp v. Chicago, &c., R. Co., 124 Ia. 238, 1298, 1315e
v. Hartford, &c., Co., 43 Conn. 333, 1500, 1693
Campagnie, &c., Co. v. Fortier, Montreal L. R. 5 Q. B. 224, 1535
Campbell, In re, 1 N. R. S. R. 768, 1042
Campbell v. Alford, 57 Tex. 159, 1428
v. American, &c., Co., 122 N. Y. 455, 82
v. Argenta, &c., Co., 51 Fed. R. 1, 164
v. Atlanta, &c., R. Co., 53 Ga. 488, 1357
v. Boyd, 88 N. Car. 129, 1096at, 1154
v. Bridwell, 5 Ore. 311, 1180
v. Campbell, 63 Ill. 362, 1019
v. Chicago, &c., R. Co., 86 Iowa, 587, 690, 698, 699, 1671
v. Chicago, &c., Co., 86 Iowa, 641, 764
v. Collins, 62 Fed. R. 849, 651
v. Cook, 86 Tex. 630, 577, 668, 1284, 1341
v. Duluth, &c., R. Co., 50 Fed. R. 241, 623
v. Frankfort, &c., R. Co., 139 Pa. St. 522, 1096cc
v. Hancock, 26 Tenn. 75, 1825
v. Indianapolis, &c., R. Co., 110 Ind. 490, 69, 401, 938, 948, 949
v. Indianapolis, &c., Trac. Co., 79 N. E. 223, 1096bn
v. Kansas City, &c., R. Co., 55 Kan. 536, 1257
v. Los Angeles R. Co., 135 Cal. 137, 1096cy
v. Los Angeles Traction Co., 137 Cal. 565, 1773, 1806
v. McCoy, 31 Pa. St. 263, 949
v. Marietta, &c., R. Co., 23 Ohio St. 168, 324, 923
v. Metropolitan St. R. Co., 82 Ga. 320, 966, 1076, 1089, 1096d
v. Mississippi Union Bank, 6 How. (Miss.), 625, 56
v. Missouri, &c., R. Co., 121 Mo. 340, 1223, 1241, 1243, 1243a
v. Missouri Pac. R. Co., 111 N. W. 126, 1652, 1658a
v. Morse, 1 Harp. L. (S. Car.) 468, 1457
v. New Orleans City R. Co., 104 La. Ann. 183, 1096cl
v. New York, &c., R. Co., 50 Conn. 128, 1180, 1181, 1182
v. Northern Pac. R. Co., 51 Minn. 488, 1265
v. Paris, &c., R. Co., 71 Ill. 611, 831, 836, 844, 872, 893
Campbell v. Portland, &c., R. Co., 62 Me. 552, 1248, 1249
v. Pullman, &c., R. Co., 42 Fed. 484, 1618, 1638, 1640
v. Providence, 9 R. I. 262, 214, 215
v. Railroad Co., 1 Woods (U. S.), 368, 529, 1003
v. St. Louis Transit Co., 99 S. W. 58, 1764
v. St. Louis, &c., R. Co., 175 Mo. 161, 1702
v. Stillwater, 32 Minn. 308, 1092
v. Texas, &c., R. R. Co., 2 Woods, 263, 495, 497, 499, 522, 523
v. Trustees of Cincinnati, &c., Co. (Ky.) 6 S. W. 337, 1058, 1059
v. Watson, 8 Ohio, 498, 1003
v. Wing, 5 Tex. Civ. App. 431, 1292, 1297
v. York, 172 Pa. St. 205, 1378, 1813
Campbellsville, &c., Co. v. Hubbert, 112 Fed. 718, 771
Campion v. Canadian P. R. Co., 43 Fed. R. 775, 1409, 1463, 1466
Can v. Texas, &c., R. Co., 194 U. S. 427, 1504
v. Texas, &c., R. Co., 113 Fed. 91, 1502
Canada Southern R. Co. v. Gebhard, 109 U. S. 527, 190, 509, 525, 531, 531a, 533
Canada, &c., R. Co. v. Clouse, 13 Can. S. C. R. 139, 1141, 1143, 1147
v. Erwin, 13 Can. S. C. R. 162, 1141
v. Hurdman, 25 Can. S. C. 205, 1296
v. International Bridge Co., L. R. 8 App. Cas. 723, 1560
v. International, &c., Co., 8 Fed. R. 190, 1666
Canada, &c., Co. v. Inhabitants, &c., (N. J.), 32 Atl. R. 66, 345
Canadian Pac. R. Co., In re, 32 Atl. R. 863, 683
Canadian Pac. R. Co. v. Chalifoux, 22 Can. S. Ct. R. 721, 1634
v. Elliott, 137 Fed. 904, 1298a, 1795
v. Johnson, Montreal, L. R. 6 Q. B. 213, 1580
Canadian, &c., Co. v. Robinson, 14 Can. Sup. Ct. 105, 1359, 1361, 1368, 1373
Canal Appraisers, &c., v. People, 17 Wend. (N. Y.) 571, 976
Canal Bank v. Mayor of New Albany, 9 Wend. (N. Y.) 244, 1044
Canal Co. v. Hitchings, 65 Me. 140, 1057d
v. Key, 3 Cranch (C. C.), 599, 980
Canal & C. R. Co. v. St. Charles St. R. Co., 44 La. Ann. 1069, 372
Canal & Street R. Co. v. Crescent City R. Co., 41 La. Ann. 561, 964, 1083, 1084
Canal St. Gravel R. Co. v. Paas, 95 Mich. 372, 616
Canal, &c., R. Co. v. Orleans, &c., R. Co., 44 La. Ann. 54, 1084, 1096au
v. Crescent City R. Co., 41 La. Ann. 561, 967, 1096s, 1096as, 1096ao
Canandaigua, &c., R. Co. v. Payne, 16 Barb. (N. Y.) 273, 995

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Canastota Knife Co. v. Newington Tramway Co., 69 Conn. 146, 1096c, 1096be, 1096bl
Candee v. Kansas City, &c., R. Co. (Mo.) 31 S. W. 1029, 1257
v. New York, &c., R. Co., 73 Conn. 667, 1479, 1550, 1747, 1751
v. Pennsylvania R. Co., 21 Wis. 582, 303, 1435, 1596, 1658
Candelaria v. Atchison, &c., R. Co. (N. Mex.) 27 Pac. 497, 1257
Candiff v. Louisville, &c., Co., 42 La. Ann. 477, 221, 1265, 1580, 1629
Candless v. Richmond &c., R. Co., 38 S. C. 103, 2
Candon v. Southside R. Co., 14 Gratt. (Va.) 302, 1059
Cane Belt R. Co. v. Hughes, 72 S. W. 102, 991a
v. Missouri, &c., R. Co., 98 S. W. 1066, 1452
v. Ridgeway, 85 S. W. 496, 1049c, 10571
Cane Hill Cold Storage Co. v. San Antonio, &c., R. Co., 95 S. W. 751, 1450, 1755
Canfield v. Baltimore, &c., R. Co., 93 N. Y. 532, 1505, 1516
v. Baltimore, &c., R. Co., 75 N. Y. 144, 1535
v. Baltimore, &c., R. Co., 14 J. & S. (N. Y.) 238, 1413
v. Northern R. Co., 18 Barb. (N. Y.) 586, 1559
Canney v. South Pacific Coast R. Co., 63 Cal. 501, 222
Canning v. Williamstown, 1 Cush (Mass.), 451, 1817
Cannon v. Cleveland, &c., R. Co., 157 Ind. 682, 1248, 1250
v. Mathes, 8 Heisk. 504, 815
v. New Orleans, 20 Wall. 577, 1671
v. Wildman, 28 Conn. 472, 1060
Cannon Falls, &c., Co. v. Chicago, &c., R. Co., 10 I. C. C. 650, 1678a
Cannon River, &c., Co. v. Rogers, 51 Minn. 388, 256
Canter v. Colorado, &c., R. Co., 35 Fed. R. 41, 1288
Cantini v. Tillman, 54 Fed. R. 969, 1663
Cantling v. Hannibal, &c., Railroad, 54, Mo. 385, 1466, 1647
Cantillon v. Dubuque, &c., R. Co., 78 Iowa, 48, 325, 842, 856, 863, 886
Cantlon v. Eastern R. Co., 45 Minn. 481, 471, 1225, 1226, 1237
Canton v. Canton, &c., R. Co., 84 Miss. 268, 461, 922, 1076, 1099
Canton Co. v. Baltimore, &c., R. Co., 99 Md. 202, 972a
Cantrell v. St. Louis, &c., R. Co., 176 Ill. 512, 682a, 693
Cantu v. Bennett, 39 Tex. 303, 1494
Cantwell v. Pacific Express Co., 58 Ark. 487, 1692
Canty v. Latterner, 31 Minn. 239, 934
Caotes v. Burlington, &c., R. Co., 62 Iowa, 486, 1378
Cape Breton Co., In re, L. R. 26 Ch. Div. 221, 12
Cape Elizabeth v. County Comrs., 64 Me. 456, 966
Cape Fear, &c., R. Co. v. Stewart, 132 N. Car. 248, 1053
Cape Girardeau Co. Ct. v. Hill, 118 U. S. 68, 840
Cape Girardeau, &c., R. Co. v. Dennis, 67 Mo. 438, 930, 1033
Cape May, &c., Co., In re, 51 N. J. L. 78, 156
Cape May v. Cape May Transfer Co., 64 N. J. L. 80, 1096ag
Cape May, &c., R. Co. v. Cape May, 58 N. J. L. 565, 1096o
Cape May, &c., Co. v. Cape May, &c., R. Co., 60 N. J. L. 224, 1096ap
Capehart v. Furman Imp. Co., 103 Ala. 671, 1414, 1425, 1519
v. Granite Mills, 97 Ala. 353, 1741
v. Louisville, &c., R. Co., 3 Interst. Com. 278, 1686
v. Seaboard, &c., R. Co., 81 N. Car. 438, 1500, 1501, 1512
Capel v. Sim's, &c., Co., 58 L. T. N. S. 807, 13
Capital City Bank v. Hodgin, 22 Fed. R. 209, 650
Capital City Gas, &c., Co. v. Des Moines, 72 Fed. 829, 1684b
Capital City Traction Co. v. Lusby, 12 App. (D. C.) 295, 1096bq
Capitol Traction Co. v. Offutt, 17 App. D. C. 292, 324
Caples v. Texas, &c., R. Co., 67 Fed. R. 9, 652
Capps v. Hastings, &c., Co., 40 Neb. 470, 18, 102, 175
v. Texas, &c., R. Co., 21 Tex. Civ. App. 85, 938a
Capron v. Strout, 11 Nev. 304, 605
Captain John, The, 33 Fed. R. 927, 1533
Carbine v. Bennington, &c., R. Co., 61 Vt. 348, 1271
Card v. Carr, 1 C. B. N. S. 197, 204
v. Eddy, 129 Mo. 510, 1298a, 1315c, 1332
v. Manhattan R. Co., 103 N. Y. 670, 1628
v. New York, &c., R. Co., 50 Barb. (N. Y.) 39, 1153, 1589
Cardot v. Barney, 63 N. Y. 281, 576, 577
Cardwell v. Bridge Co. 113 U. S. 205, 980a
Carew v. Rutherford, 106 Mass. 1, 633, 1688
v. Stubbs, 155 Mass. 549, 1072
Carey v. Berkshire R. Co., 1 Cush. 475, 1359
v. Boston, &c., R. Co., 158 Mass. 228, 1274, 1296
v. Chicago, &c., R. Co., 67 Wis. 608, 1697
v. Chicago, &c., R. Co., 61 Wis. 71, 1185, 1209
v. Cincinnati, &c., R. Co., 5 Iowa, 357, 24, 55
v. Giles, 9 Ga. 253, 57, 559
v. Houston, 45 Fed. R. 438, 505, 529, 536
v. Houston, &c., R. Co., 52 Fed. R. 671, 521, 534
v. Milwaukee, &c., R. Co., 61 Wis. 71, 1185
Cargill Co. v. Minnesota, 180 U. S. 452, 772
Carl v. Sheboygan, &c., R. Co., 46 Wis. 625, 1048, 1057, 1087
Carle v. Bangor, &c., R. Co., 43 Me. 269, 1315, 1316

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Carleton v. Franconia Iron & Steel Co., 99 Mass. 216, 1154
v. Rugg, 149 Mass. 550, 631
Carli v. Stillwater, &c., R. Co., 16 Minn. 260, 1001, 1025, 1053
v. Stillwater, &c., Ry. Co., 28 Minn. 373, 4, 6, 977, 1088
v. Union Depot St. R. Co., 32 Minn. 101, 1089
Carlin v. Chicago, &c., R. Co., 37 Iowa, 316, 1172
Carlisle v. Brisbane, 113 Pa. St. 544, 1177, 1178
v. Saginaw, &c., R. R. Co., 27 Mich. 315, 102, 103
v. Sheldon, 38 Vt. 440, 1174, 1178
v. Southeastern R. Co., 1 Macn. & G. 689, 317
Carlos F. Rosea, 177 U. S. 655, 1429
Carlson v. Benton, 66 Neb. 486, 1783
v. Board, 38 Wash. 616, 1689a
v. Chicago &c., R. Co., 105 N. W. 555, 1153, 1166, 1179b
v. Chicago, &c., R. Co., 96 Minn. 504, 1701
v. Lynn, &c., R. Co., 172 Mass. 388, 1096ce
v. Northwestern, &c., R. Co., 63 Minn. 428, 1329
v. Oregon, &c., R. Co., 21 Ore. 450, 1288, 1302, 1378, 1378a
v. Phenix Ridge Co., 132 N. Y. 273, 1278
Carlston v. Cincinnati, &c., R. Co., 120 Mich. 48, 1298a
Carlton v. Wilmington, &c., R. Co., 104 N. Car. 365, 1204, 1205
Carmady v. Atlantic, &c., R. Co., 55 S. E. 836, 1339
Carman v. Steubenville, &c., R. Co., 4 Ohio St. 399, 1057, 1063
Carmanty v. Mexican, &c., R. Co., 5 La. Ann. 703, 1696
Carmody v. Chicago, &c., R. Co., 87 Ga. 602, 960
v. Powers, 60 Mich. 26, 14
Carnahan v. Western Un. Tel. Co., 89 Ind. 526, 710
Carneal v. Banks, 10 Wheat. (U. S.) 181, 647
Carnegie Bros. v. Lancaster, &c., R. Co., 1 Ohio N. P. 300, 1068
Carnegie, &c., Co. v. Holt, 99 Mich. 606, 1457a
Carner v. Chicago, &c., R. Co., 43 Minn. 375, 1239
Carney v. Caraquet Railway Co., 29 N. B. 425, 1324
v. Chicago, &c., R. Co., 46 Minn. 220, 1168, 1374
v. Hadley, 32 Fla. 344, 632
v. New York L. Ins. Co., 162 N. Y. 453, 193
Caro v. Metropolitan El. R. Co., 46 N. Y. Super. Ct. 438, 976
Carolan v. Southern Pac. R. Co., 84 Fed. 84, 1768
Carolina Cent. R. Co. v. Love, 81 N. Car. 434, 970, 973
v. McCaskill, 94 N. Car. 746, 702, 986, 1007
Carolina, &c., R. Co. v. Penncarden, &c., Co., 132 N. Car. 644, 1019, 1035a
v. Wilmington St. R. Co., 120 N. C. 520, 1096d
Caron v. Boston, &c., R. Co., 164 Mass. 523, 1272, 1289, 1345, 1354, 1356
Carothers v. Alexander, 74 Tex. 309, 237
Carpenter v. Baltimore, &c., R. Co., 64 Atl. 252, 1454, 1455, 1516
v. Black Hawk G. M. Co., 65 N. Y. 43, 488, 490
v. Boston, &c., R. Co., 97 N. Y. 494, 1256, 1589, 1639
v. Catlin, 44 Barb. (N. Y.) 75, 525, 534
v. Central Park, &c., R. Co., 11 Abb. Pr. N. S. (N. Y.) 416, 1096cc
v. County Commissioners, 21 Pick. 258, 917
v. Danforth, 52 Barb. (N. Y.) 581, 93, 291
v. Eastern R. Co., 67 Minn. 188, 1512
v. Eastern, &c., R. Co., 71 N. Y. 574, 1234
v. Easton, &c., R. Co., 24 N. J. Eq. 249, 999
v. Grand Trunk R. Co., 72 Me. 388, 1494, 1595, 1598
v. Grisham, 59 Mo. 247, 1049
v. Gwynn, 35 Barb. (N. Y.) 395, 947
v. Longan, 16 Wall. (U. S.) 271, 510, 513
v. Mexican, &c., R. Co., 39 Fed. R. 315, 1288, 1296, 1327, 1815
v. New York, &c., Co., 124 N. Y. 53, 1622, 1623, 1654, 1656a
v. New York, &c., R. Co., 5 Abb. Pr. (N. Y.) 277, 315, 317, 634
v. O'Dougherty, 67 Barb. (N. Y.) 397, 510
v. Oswego, &c., R. Co., 24 N. Y. 655, 1049, 1096
v. Rommel, 5 Phila. (Pa.) 34, 484
v. Schooner Emma Johnson, 1 Cliff. (U. S. C. C.) 633, 1671
v. Washington, &c., R. Co., 121 U. S. 474, 1602
Carper v. Norfolk &c., R. Co., 78 Fed. 94, 1191
Carr v. Boone, 108 Ind. 241, 1033
v. Eel River, &c., R. Co., 98 Cal. 366, 1628
v. Iglehart, 3 Ohio St. 457, 147
v. Lancashire, &c., Railway, 7 Exch. 707, 1477, 1564, 1627
v. LeFevre, 27 Pa. St. 413, 110, 484, 509
v. London, &c., R. Co., 10 C. P. 307, 1429
v. Missouri Pac. R. Co., 195 Mo. 214, 1250
v. Morris, 85 Va. 21, 576
Carr v. Quigley, 79 Cal. 130, 795
v. St. Clair Tunnel Co., 131 Mich. 592, 1274
v. St. Louis, 9 Mo. 191, 191
v. Schafer, 15 Colo. 48, 1480, 1550
v. State, 127 Ind. 204, 738, 806
v. Steamboat Michigan, 27 Mo. 196, 1425
Carrell v. Muncie, &c., R. Co., 78 N. E. 254, 989, 1096bm
Carrey v. Spencer, 36 N. Y. S. 886, 1665
Carrico v. West Virginia, &c., R. Co., 35 W. Va. 389, 1175, 1585, 1589, 1633, 1636
v. West Virginia, &c., R. Co., 39 W. Va. 86, 1063

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Carrier v. Chicago, &c., R. Co., 79 Iowa, 80, 1564
v. Shawangunk, 10 Fed. R. 220, 897
Carrigan v. Chicago, 144 Ill. 537, 1003
Carriger v. East Tennessee, &c., R. 7 Lea (Tenn.), 388, 1057f
Carrington v. Florida, &c., R. Co., 9 Blatchf. (U. S. C. C.) 467, 655
v. Louisville, &c., R. Co., 88 Ala. 472, 1248
Carris v. Commissioners, 2 Hill (N. Y.), 443, 924
Carroll v. Green, 92 U. S. 509, 812
Carroll v. East St. Louis, 67 Ill. 568, 398
v. East Tennessee, &c., R. Co., 82 Ga. 452, 1294, 1689j
v. Express Co., 37 S. Car. 452, 1526a
v. Interstate, &c., Co., 107 Mo. 653, 1633, 1636, 1702
v. Minnesota Valley R. Co., 13 Minn. 30, 1162, 1251, 1320
v. Missouri, &c., R. Co., 88 Mo. 239, 1320, 1360, 1378, 1378b, 1605, 1608
v. Mullanphy, &c., Bank, 8 Mo. App. 249, 99
v. New York, &c., R. Co., 1 Duer (N. Y.), 571, 302, 1631
v. Southern Exp. Co., 37 S. Car. 452, 1463
v. Staten Island, &c., Co., 58 N. Y. 126, 1584, 1587
v. Staten Island, &c., R. Co., 65 Barb. 32, 1454
v. Tidewater Oil Co., 67 N. J. L. 679, 1275
v. Gt. Western R. Co., 14 U. C. Q. B. 614, 1137
v. Willcutt, 163 Mass. 221, 1347
Carroll County v. O'Connor, 137 Ind. 622, 1060
v. Smith, 111 U. S. 556, 849, 883, 898, 901
Carrter v. Rome, &c., R. Co., 89 Ga. 158, 1070
Carruanty v. Mexican, &c., R. Co., 5 La. Ann. 703, 1757
Carruthers v. Chicago, &c., R. Co., 55 Kans. 600, 1307
Carson v. Arctic Min. Co., 5 Mich. 288, 150
v. Central R. Co., 35 Cal. 325, 1049e. 1087
v. Dunham, 121 U. S. 421, 652, 653, 655, 656a
v. Federal, &c., R. Co., 147 Pa. St. 219, 1095
v. Harris, 4 Greene (Iowa), 516, 1420, 1450
v. Hartford, 48 Conn. 68, 1031
v. Hyatt, 118 U. S. 279, 654
v. Iowa City Gaslight Co., 80 Iowa, 638, 166, 174
v. Memphis, &c., R. Co., 88 Tenn. 646, 624, 627
v. Southern R. Co., 68 S. Car. 55, 1346
v. Southern R. Co., 194 U. S. 136, 1314
Carson, &c., Lumber Co. v. Holtzclaw, 39 Fed. R. 578, 648, 651
Carstairs v. Mechanics, &c., Ins. Co., 18 Fed. R. 473, 1509
Carsten v. Northern Pac. R. Co., 44 Minn. 454, 1597, 1599, 1823
Carswell v. Macon, &c., R. Co., 118 Ga. 826, 1604
v. Schley, 59 Ga. 17, 654
Carter v. Columbia, &c., R. Co., 19 S. Car. 20, 1260, 1265
v. Ford Plate Glass Co., 85 Ind. 180, 535
v. International, &c., R. Co., 93 S. W. 681, 1741
v. Kansas City, &c., R. Co., 65 Iowa, 287, 1241
v. Kansas City &c., R. Co., 42 Fed. R. 37, 1096cu, 1587, 1644
v. Louisville, &c., Co., 98 Ind. 552, 221, 1255
v. Machine Co., 51 Md. 290, 214
v. Peck, 4 Sneed (Tenn.), 203, 1435, 1444, 1487
v. Railway Co., 98 Ind. 552, 1255
v. Ridge Turnpike Co., 208 Pa. St. 565, 1007
v. Seattle, 19 Wash. 597, 1788
v. Sinton, 120 U. S. 517, 878
v. Southern R. Co., 55 S. E. 771, 1594
v. Southern R. Co., 111 Ga. 38, 1692
v. Thurston, 58 N. H. 104, 1037, 1038
Carthage Turnp. Co. v. Anderson, 102 Ind. 138, 1689l
Cartmell's Case, L. R. 9 Ch. 691, 176, 224
Carton v. Illinois, &c., R. Co., 59 Iowa, 148, 658, 1669
Cartwright v. Chicago, &c., R. Co., 52 Mich. 606, 1628
v. Dickinson, 88 Tenn. 476, 102, 176, 177
v. New York, &c., R. Co., 59 Vt. 675, 1065
v. Rome, &c., R. Co., 85 Hun, 517, 1449
v. Wilmerding, 24 N. Y. 521, 1543
Carty v. London, 18 Ont. R. 122, 1092
Caruthers v. Kansas City, &c., R. Co., 59 Kan. 629, 468
Carver v. Minneapolis, &c., R. Co., 120 Ia., 346, 1250
Cary v. Cleveland, &c., R. Co., 29 Barb. (N. Y.) 35, 341, 372, 1659
v. Eureka Springs R. Co., 7 I. C. C. 286, 1684f
v. Ottawa, 8 Fed. R. 199, 898
Cary Bros., &c., v. Morrison, 129 Fed. 177, 1057
Cary, &c., Co. v. Cain, 70 Miss. 628, 345
Casady v. Lawry, 49 Iowa, 523, 874
Cascades R. Co. v. Sohns, 1 Wash. Ter. 557, 954
Casco National Bank v. Clark, 139 N. Y. 307, 226
Case v. Bank, 100 U. S. 446, 98, 99
v. Boston, &c., R. Co., 96 Mass. (14 Allen.) 448, 1718
v. Chicago, &c., R. Co., 64 Iowa, 762, 1309
v. Chicago, &c., R. Co., 69 Ia. 449, 1689g
v. Cleveland, &c., R. Co., 11 Ind. App. 517, 1512
v. Kelly, 133 U. S. 21, 38, 374, 390, 391, 407, 970, 1689h
v. Marke 20 Conn. 248, 1803
v. Northern, &c., R. Co., 59 Barb. 644, 1224, 1242
v. St. Louis, &c., R. Co., 75 Mo. 668, 1185, 1218
Case, The M. M. 37 Fed. R. 708, 1544

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Case of Adamson, L. R. 18 Eq. Cas. 670, 133
Case of Anderson, L. R. 7 Ch. Div. 75, 91
Case of Appleyard, 49 L. J. Ch. 290, 110
Case of Austin, 24 L. T. (N. S.) 932, 154
Case of Ayre, 25 Beav. 513, 132
Case of Baker, L. R. Chan. 115, 107
Case of Barge, L. R. 5 Eq. Cas. 420, 133
Case of Bath, L. R. 8 Ch. Div. 334, 177, 342
Case of Barton, 4 DeG. & J. 46, 149
Case of Bellona Company, 3 Bland (Md.), 442, 606, 952, 955
Case of Bennett, 5 DeGex, M. & G. 284, 274
Case of Bigg, L. R. 1 Eq. 309, 150
Case of Binney, 2 Bland Ch. (Md.) 99, 955
Case of Bottomley, L. R. 16 Ch. Div. 681, 136, 152
Case of Cartmell, 43 N. J. Eq. 588, 224
Case of Cartmell, L. R. 9 Ch. 691, 176
Case of Currie, 3 DeG., J. & S. 367, 91
Case of Daniell, 22 Beav. 43, 95
Case of Davidson, 3 DeG. & S. 21, 112
Case of Delaware Railroad Tax, 18 Wall. 206, 736, 769
Case of Dodgson, 3 DeGex & S. 85, 231
Case of Drummond, L. R. 4 Ch. 772, 110
Case of Ebbett, L. R. 5 Chan. App. C. 302, 93, 107
Case of Farmers' Bank of Maryland, 2 Bland's Ch. (Md.) 394, 101
Case of French Bank, 53 Cal. 495, 551
Case of Gateward, 6 Coke, 60, 947
Case of Gilbert, L. R. 5 Ch. App. C. 559, 93, 291
Case of Gower, L. R. 6 Eq. 77, 151
Case of Grady, 1 DeG., J. & S. 488, 95
Case of Habershon, L. R. 5 Eq. 286, 137
Case of Haydon, 3 Re. (Coke.) 7, 637
Case of Heyburn, 2 Dall. 409, 675
Case of Karuth, L. R. 20 Eq. 506, 241
Case of King, L. R. 2 Ch. 714, 150
Case of Knight, L. R. 2 Chan. 321, 152, 153, 154
Case of Lord Belhaven, 3 DeG., J. & S. 41, 177
Case of Lumsden, L. R. 4 Ch. App. C. 31, 93
Case of Maltby, 1 Dow. 294, 232
Case of Meux, 2 DeGex, M. & G. 522, 269
Case of Minot, 33 Alb. L. Jour. 106, 307
Case of Mitchell, L. R. 9 Eq. 363, 107
Case of Mrs. Matthewman, L. R. 3 Eq. 781, 107
Case of Munt, 22 Beav. 55, 95
Case of Nicols, 3 DeG. & J. 387, 95
Case of Northampton Bridge, 116 Mass. 442, 964
Case of Pellatt, L. R. 2 Ch. 527, 112
Case of Poole, L. R. 9 Ch. D. 322, 133
Case of Pugh, L. R. 3 Eq. 566, 107
Case of Ramwell, 50 L. J. (Ch.) 827, 91, 95
Case of Root, 77 Pa. St. 276, 988
Case of Royal Bank of India, L. R. 4 Ch. App. Cas. 252, 95, 933
Case of Sewell, L. R. 3 Ch. 131, 87
Case of Shepherd, L. R. 2 Eq. 564, 92
Case of Siford, 11 Coke, 46, 389
Case of Snell, L. R. 5 Chan. 22, 151
Case of Stanhope, L. R. 1 Ch. 161, 151
Case of State Freight Tax, 15 Wall. 232, 754
Case of Stewart, L. R. Ch. App. 574, 132
Case of Stringer, L. R. 4 Ch. 475, 313, 317
Case of Sunderland Bridge, 122 Mass. 459, 967
Case of Sutton, 3 DeG. & Sm. 262, 183
Case of Sutton's Hospital, 10 Coke 1, 341
Case of Syke, L. R. 13 Eq. Cas. 256, 133
Case of The Bank Tax, 2 Wall. 200, 754
Case of Thetford, 1 Salk. 192, 195
Case of Thomas, L. R. 13 Eq. 437, 176
Case of Wheatcroft, 29 L. T. R. 324, 115
Case of Whitcomb, 120 Mass. 118, 675
Case of Wood, L. R. 15 Eq. 236, 113
Case of Woodfall, 3 DeG. & Sm. 63, 110
Case of Woollaston, 4 DeG. & J. 437, 154
Case Mfg. Co. v. Soxman, 138 U. S. 431, 13
Casebeer v. Mowry, 55 Pa. St. 423, 1057d
Casement v. Brown, 148 U. S. 615, 1063
Cases of Confiscation, 7 Wall. (U. S.) 454, 713
Cases of Head Money, 112 U. S. 580, 760
Cases of Illinois Tax, 92 U. S. 575, 741
Cases of Kentucky Railroad Tax, 115, U. S. 321, 771, 776, 951
Cases of Kentucky Railroad Tax, 92 U. S. 663, 740
Cases of Legal Tender, 12 Wall. 457, 738
Cases of Legal Tender, 110 U. S. 421, 837
Cases of License Tax, 5 Wall. 462, 666
Cases of New Haven Wire Company, 57 Conn. 352, 378
Cases of Pacific Railroad Removal, 115 U. S. 1, 652, 673
Cases of Pennsylvania College, 13 Wall. (U. S.) 190, 325, 770
Cases of Pulaski County, &c., 49 Ark. 518, 740
Cases of Railroad Commission, 116 U. S. 307, 659, 676, 691, 779
Cases of Removal, 100 U. S. 457, 655
Cases of Shepaug Voting Trust, 60 Conn. 553, 478
Cases of Sinking Fund, 99 U. S. 700, 613, 812
Cases of Slaughter House, 16 Wall. 36, 664
Cases of State Railroad Tax, 92 U. S. 575, 736, 752, 772
Cases of State Railroad Tax, 115 U. S. 321, 771

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cases of The Passenger, 7 How. (U. S.) 282, 763
Cases of The Tax, 12 Gill & J. 117, 737
Cases of Virginia Coupon, 114 U. S. 270, 700
Casey v. Chicago, &c., R. Co., 90 Wis. 113, 1283
v. Cincinnati, &c., Union, 45 Fed. R. 135, 1688
v. Galli, 94 U. S. 673, 144, 175, 323 898
v. New York, &c., R. Co., 78 N. Y. 518, 1157
v. People, 132 Ill. 546, 856, 882
v. St. Louis Transit Co., 116 Mo. App. 235, 1359
v. St. Louis, &c., R. Co., 83 S. W. 20, 1479, 1551a
v. Smith, 152 Mass. 294, 1262
Cashman v. Brownlee, 128 Ind. 266, 329
v. Chase, 156 Mass. 342, 1352
Caskie v. Webster, 2 Wal. Jr. (U. S. C. C.) 131, 599
Caspars v. Dry Docks, &c., Co., 22 App. Div. 156, 1096cz
Cass v. Baston, &c., R. Co., 14 Allen. (Mass.) 448, 1796
v. Boston, &c., R. Co., 96 Mass. 448, 1711
v. Dillon, 2 Ohio St. 607, 818
v. Manchester, &c., Co., 9 Fed. R. 640, 236, 440
v. Morrison, 28 Minn. 257, 779
v. Pittsburg, &c., R. Co., 80 Pa. St. 31, 113, 114, 116, 143
v. Third Ave. R. Co., 20 App. Div. 591, 1096cq
Cass County v. Gillett, 100 U. S. 585, 819, 836, 863, 882, 903
v. Johnston, 95 U. S. 360, 161, 849, 895, 898
Cassaboglou v. Gibb, L. R. 11 Q. B. D. 797, 1540
Cassady 1. Boston, &c., R. Co., 164 Mass. 168, 1290, 1301a, 1315, 1345
v. Pullman, &c., Co. (Miss.) 17 So. 373, 1640
Cassell v. Lexington, &c., Co. (Ky.) 9 S. W. 502, 164, 248
Cassiano v. Galveston, &c., R. Co., 82 S. W. 806, 1597, 1598
Cassida v. Oregon Ry., &c., Co., 14 Ore. 551, 1154, 1173, 1257, 1794
Cassidy v. Angell, 12 R. I. 447, 1163, 1313
v. Atlantic Ave. R. Co., 29 N. Y. S. 724, 1096cz
v. Chicago, &c., R. Co., 70 Wis. 440, 949
v. Kennebec, &c., R. Co., 45 Me. 263, 1024
v. Old Colony R. Co., 141 Mass. 178, 1057f
Casteel v. St. Louis, &c., R. Co., 99 S. W. 540, 934
Castello v. Landwehr, 28 Wis. 522, 1378
Castle v. Belfast, &c., Co., 72 Me. 167, 283, 286
v. Hutchinson, 25 Fed. R. 394, 1670
Castner v. Chicago, &c., R. Co., 126 Ia. 581, 1239
Caswell v. Allen, 10 Johns. (N. Y.) 118, 713
v. Boston, &c., R. Co., 98 Mass. 194, 1096cf, 1579
v. Chicago, &c., R. Co., 42 Wis. 193, 1238, 1244
v. Worth, 5 El. & Bl. 848, 711
Catawissa R. Co. v. Philadelphia, &c., R. Co., 168 Pa. St. 544, 478
Catawissa, &c., R. Co. v. Armstrong, 52 Pa. St. 282, 1378, 1378a
v. Philadelphia, &c., R. Co., 14 Pa. Co. R. 280, 447, 450
Catchpole v. Ambergate, &c., R. Co., 1 Ellis & B. 111, 152, 154
Caterham, &c., R. Co. v. London, &c., Ry. Co., 1 C. B. (N. S.) 410, 706, 1577, 1678
Caterll v. Union, &c., R. Co., 2 Idaho, 540, 1183
Catherham R. Co., In re, 1 C. B. (N. S.) 410, 1678
Catlett v. Railway Co., 57 Ark. 411, 1260
Catlin v. Adirondack Co., 20 Hun (N. Y.), 19, 1060
v. Adirondack Co., 11 Abb. N. Cas. (N. Y.) 377, 1693
v. Eagle Bank, 6 Conn. 233, 603
v. Green, 120 N. Y. 441, 483
v. Wilcox, &c., Co., 123 Ind. 477, 555, 570
Caton v. Oregon, &c., R. Co., 19 Ore. 391, 1238
v. Rumney, 13 Wend. 387, 1397
Cator v. Board of Works, &c., 34 L. J. Q. B. 74, 1048
Cattell v. Lowry, 45 Iowa, 478, 823b, 872
Catron v. Lafayette Co., 106 Mo. 659, 881
Cauley v. Pittsburgh, &c., R. Co., 98 Pa. St. 498, 1255, 1703
v. Pittsburgh, &c., R. Co., 95 Pa. St. 398, 1152, 1255, 1259
Caulkins v. Memphis, &c., Co., 85 Tenn. 683, 94, 308
Cavallaro v. Texas, &c., R. Co., 110 Cal. 348, 1448, 1517, 1523
Cavanagh v. Ocean, &c., Co., 13 N. Y. S. 540, 1373
Cave v. Cave, L. R. 15 Ch. Div. 639, 226
Cavin v. Southern Pac. R. Co., 136 Fed. 592, 1585
Cawfield v. Ashville St. R. Co., 111 N. Car. 597, 1628a
Cawley, In re, L. R. 42 Ch. Div. 209, 93
Cawley v. La Crosse City R. Co., 101 Wis. 145, 1096bq
v. La Crosse City R. Co., 106 Wis. 239, 1096ch, 1096cj
Caye v. Pool's Assignee, 21 Ky. L. 1600, 1572
Cayley v. Cobourg, &c., R. R. Co., 14 Grant Ch. (U. Can.) 571, 483
Caylus v. New York, &c., R. R. Co., 10 Hun (N. Y.) 295, 484
Cayuga Lake R. Co. v. Kyle, 64 N. Y. 185, 36, 103
v. Kyle, 5 Thomp. & C. (N. Y.) 659, 18, 121
Cayzer v. Taylor, 10 Gray, 274, 1306, 1333b
Caze v. Baltimore Ins. Co., 7 Cranch (U. S.), 359, 1562
Cazeaux v. Mali, 25 Barb. 578, 282
Cazman v. Fitchburg R. Co. (Mass.), 37 N. E. R. 311, 1590
C. C. Taft Co. v. American Exp. Co., 110 N. W. 897, 1725
Cecil, Matter of, 36 How. Pr. (N. Y.) 477, 162
Cecil v. Pacific R. Co., 47 Mo. 246, 1214
Cecil Nat. Bank v. Watsontown Bank, 105 U. S. 217, 101

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cedar Falls, &c., R. Co. v. Rich, 33 Iowa, 113. 125, 943
Cedar Rapids Co. v. Cedar Rapids, 118 Ia. 234, 1684b, 1684c
Cedar Rapids, &c., R. Co. v. Boone County, 34 Iowa, 45, 823a, 849, 850, 860
v. Burlington, &c., R. Co., 120 Ia. 724, 938
v. Cedar Rapids, 106 Ia. 476, 1096a, 1096bh
v. Chicago, &c., R. Co., 60 Iowa, 35, 1025, 1053
v. Cummins, 125 Ia. 430, 745a, 1096ba, 1096bc, 1096bd
v. Herring, 110 U. S. 27, 799
v. Raymond, 37 Minn. 204, 996, 1036a, 1139
v. Ryan, 27 Minn. 38, 992
v. Spafford, 41 Iowa, 292, 121, 362, 386, 941
v. Whelan, 64 Iowa, 694, 1054
Cedar Rapids, &c., Co. v. Stewart, 25 Iowa, 115, 213
Ceeder v. Loud, &c., Co., 86 Mich. 541, 283, 296, 297
Cella v. Brown, 144 Fed. 742, 656a
v. Chicago, &c., R. Co., 217 Ill. 326, 1029a
Center v. McQuestion, 24 Kan. 480, 625
v. Torrey, 8 Mart. La. R. 206. 1423
Central Bank v. Empire Stone Co., 26 Barb. (N. Y.) 23, 481
Central Branch Union Pac. v. Andrews, 30 Kan. 590, 1087
v. Andrews, 37 Kan. 641, 1036
v. Andrews, 37 Kan. 162, 1036, 1037, 1038
v. Andrews, 26 Kan. 702, 995, 998, 1048
v. Andrews, 41 Kan. 370, 981
v. Atchison, &c., R. Co., 26 Kan. 669, 923, 930, 971
v. Atchison, &c., R. Co., 28 Kan. 453, 950, 1050, 1053
Central Branch, &c., Co. v. Lea, 20 Kan. 353, 1180
Central Bridge Co. v. Lowell, 4 Gray (Mass.), 474, 967
Central City Horse Ry. Co. v. Fort Clark Horse Ry. Co., 81 Ill. 523, 41, 967, 974, 1084, 1121
Central Coal, &c., Co. v. Hartman, 111 Fed. 96, 1733
Central Crosstown R. Co. v. Twenty Third St. R. Co., 541 How. Pr. (N. Y.) 168, 52
Central Elevator Co. v. People, 174 Ill. 203, 1662c
Central Granaries, &c., Co. v. Lancaster Co., 109 N. W. 384, 738, 741a
Central Ind. R. Co. v. Grantham, 143 Fed. 43, 526
Central Iowa Co. v. Board, &c., 67 Iowa, 199, 740
Central Iowa R. Co. v. Moulton, &c., R. Co., 57 Iowa, 249, 931
v. Supervisors, 67 Ia. 199, 741
Central Mfg. Co. v. Cotton, 108 Tenn. 63, 1812
Central Mills Co. v. New York, &c., R. Co., 127 Mass. 537, 920, 934
Central Nat. Bank v. Hazard, 30 Fed. R. 484, 526, 594, 595
v. Worcester Horse R. Co., 13 Allen (Mass.), 105, 599
Central of Georgia R. Co. v. Bagley, 121 Ga. 781, 1213
v. Bond, 111 Ga. 13, 1155
v. Dish, 121 Ga. 65, 1213
v. Edmondson, 135 Ala. 336, 1215, 1761
v. McNab, 43 So. 222, 1772, 1787
v. Morris, 121 Ga. 484, 214
v. Mosley, 112 Ga. 914, 1313
v. Paul, 93 Fed. 878, 532, 535
Central Ohio Salt Co. v. Guthrie, 35 Ohio St. 666, 385
Central Ohio, &c., R. Co. v. Capital City Dairy Co., 60 Ohio St. 96, 370
v. Holler, 7 Ohio St. 220, 982, 1042
v. Lawrence, 13 Ohio St. 66, 1180, 1204
Central Pac. R. Co. v. Pearson, 35 Cal. 247, 994, 996, 1035a, 1037, 1038, 1039, 1041, 1042, 1045, 1046
v. Perkerson, 112 Ga. 923, 1807
Central Park, In re, Commissioners of, 61 Barb. (N. Y.) 40, 1045
Central Park, In re, Commissioners of, 51 Barb. (N. Y.) 277, 1022, 1041
Central Pass. R. Co. v. Chatterson, 14 Ky. L. 663, 1096cq
v. Chatterson, 17 Ky. L. 5, 1801
v. Kuhn, 86 Ky. 578, 1157, 1178, 1635
v. Philadelphia, &c., R. Co., 95 Md. 428, 963, 996a
Central R. & Bkg. Co. v. Avant, 80 Ga. 195, 1438
v. Cooper, 95 Ga. 406, 1752
v. Grant, 46 Ga. 417, 1063
Central R. Co., Appeal of, 102 Pa. St. 38, 1020
Central R. Co., In re, 71 N. J. L. 475, 738a
Central R. Co., In re, 72 N. J. L. 86, 738a
Central R. Co.'s Appeal, 67 Conn. 197, 1096p
Central R. Co. v. Allmon, 147 Ill. 471, 1790
v. Bayonne, 52 N. J. L. 503, 425
v. Brewer (Md.), 28 Atl. 615, 214
v. Brinson, 109 Ga. 354, 624
v. Brown, 113 Ga. 414, 1802
v. Bryant, 73 Ga. 722, 1553
v. Bryant, 89 Ga. 457, 1212
v. Cannon, 106 Ga. 828, 1597
v. Chapman, 96 Ga. 769, 1303
v. Collins, 40 Ga. 582, 38, 45, 95, 165, 167, 251, 322a, 372, 374, 376, 385, 608, 634, 1675
v. DeBray, 71 Ga. 406, 1282, 1697, 1796
v. Denson, 84 Ga. 774, 1257
v. Dickson, 82 Ga. 629, 1314
v. Dixon, 42 Ga. 327, 1169
v. Georgia, 92 U. S. 665, 335
v. Hamilton, 71 Ga. 461, 1209
v. Haslett, 74 Ga. 59, 1312
v. Hasselkus, 91 Ga. 382, 1423, 1457
v. Hatfield, 29 N. J. L. 206, 949, 950, 1049
v. Hines, 19 Ga. 145, 1404
v. James, 117 Ga. 832, 1550
v. Johnson, 106 Ga. 130, 1831
v. Joseph, 125 Ala. 313, 1649
v. Kavanaugh, 92 Fed. 56, 1438, 1507
v. Keegan, 160 U. S. 259, 1298a, 1317

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Central R. Co. v. Lanier, 83 Ga. 587, 1267
v. McCartney, 68 N. J. L. 165, 1559
v. Macon, 43 Ga. 646, 323
v. Merkel, 32 Tex. 723, 1025, 1049d
v. Mills, 113 U. S. 249, 647, 652
v. Mitchell, 63 Ga. 173, 1017, 1357, 1704
v. Montmollen, 39 So. 820, 1519
v. Moore, 24 N. J. L. 824, 1702
v. Motes, 117 Ga. 923, 1637
v. Murphey, 113 Ga. 514, 1510
v. Murphy, 196 U. S. 194, 1670
v. Peacock, 69 Md. 257, 1265, 1592, 1638
v. Pennsylvania R. Co., 31 N. J. Eq. 475, 18, 36, 251, 385, 953, 963, 1054
v. Raiford, 82 Ga. 400, 1158
v. Richards, 62 Ga. 306, 1813
v. Skellie, 90 Ga. 694, 1788
v. Smith, 74 Md. 212, 1628a
v. Smith, 69 Ga. 268, 1643
v. State, 32 N. J. L. 220, 332, 1096
v. State, 82 Md. 647, 1096cc
v. Thompson, 76 Ga. 770, 1628, 1845
v. Van Horn, 38 N. J. L. 133, 1628, 1757
v. Vaughan, 93 Ala. 209, 1251, 1257
v. Vinson, 25 Ky. L. 38, 1844
v. Whitehead, 74 Ga. 441, 1592, 1628, 1628a
v. Wolff, 74 Ga. 664, 1776
Central R., &c., Co. v. Bayer, 91 Ga. 115, 1450, 1722
v. Bridger, 94 Ga. 471, 1435, 1446
v. Brunswick, &c., Co., 87 Ga. 386, 1635
v. Cheatham, 85 Ala. 292, 42, 297
v. Farmer L. & T. Co., 116 Fed. 700, 373
v. Georgia, &c., Co., 91 Ga. 389, 1435
v. Georgia, 92 U. S. 665, 330, 334, 335, 336, 606, 747
v. Georgia, &c., Co., 32 S. Car. 319, 624
v. Hall, 124 Ga. 322, 1704
v. Johnson, 106 Ga. 130, 1835
v. Kitchens, 83 Ga. 83, 1282
v. Kent, 87 Ga. 402, 1315a
v. Kuhn, 86 Ky. 578, 1689g
v. Lee, 96 Ala. 44, 1214
v. Letcher, 69 Ala. 106, 1578, 1589
v. Miles, 88 Ala. 256, 1628
v. Papot, 59 Ga. 342, 304, 305
v. Pettus, 113 U. S. 116, 460
v. Robertson, 95 Ga. 430, 1151
v. Skellie, 90 Ga. 694, 200
v. Skellie, 86 Ga. 686, 1449
v. Small, 80 Ga. 519, 1689g
v. Smith, 78 Ga. 694, 711, 1155
v. Smitha, 85 Ala. 47, 1511
v. Strickland, 90 Ga. 562, 1576, 1603, 1823
Central Sav. Bank v. Mayor, 71 Md. 515, 1698
Central Stockyards Co. v. Louisville, &c., R. Co., 118 Fed. 113, 1681
Central Texas, &c., R. Co. v. Bush, 12 Tex. Civ. App. 291, 1850
v. Gibson, 83 S. W. 862, 1156, 1157, 1174
v. Hoard, 49 S. W. 142, 1841
v. Nycum (Tex.), 34 S. W. 460, 1155
Central Transp. Co. v. Pullman Car Co., 139 U. S. 24, 39, 70, 322a, 340, 358, 359, 369, 371, 384, 388, 432, 452, 519, 1096s
Central Trust Co. v. Bridges, 57 Fed. R. 753, 170, 216, 324, 552, 1058, 1061, 1070
v. Carter, 78 Fed. 225, 531a
v. Charlotte, &c., R. R. Co., 65 Fed. R. 264, 528
v. Chattanooga, &c., R. Co., 94 Fed. 275, 497, 544, 546
v. Chattanooga, &c., R. Co., 68 Fed. R. 685, 339, 555, 573, 627
v. Chicago, &c., R. Co., 54 Fed. 598, 1068
v. Cincinnati, J. & M. Ry. Co. (C. C.), 58 Fed. R. 500, 584
v. Condon, 67 Fed. R. 84, 285, 491, 493, 1058a, 1060, 1074
v. Continental, &c., Co., 96 Fed. 517, 582
v. Denver, &c., R. Co., 97 Fed. 239, 471
v. East Tenn. R. Co., 73 Fed. 661, 1269
v. East Tenn., &c., R. Co., 69 Fed. 353, 576
v. East Tennessee, &c., R. Co., 59 Fed. R. 523, 573, 652
v. East Tennessee, &c., R. Co., 30 Fed. R. 895, 577
v. East Tenn., &c., R. Co., 65 Fed. R. 332, 1593, 1597
v. East Tenn., &c., Co., 79 Fed. 19, 579
v. Florida R., &c., Co., 43 Fed. R. 751, 512
v. Grant Locomotive Works, 135 U. S. 207, 518
v. Hennen, 90 Fed. 593, 500
v. Kneeland, 138 U. S. 414, 497
v. Louisville, &c., R. Co., 70 Fed. R. 282, 1059, 1072
v. Louisville, &c., R. Co., 81 Fed. 772, 500
v. Marietta, &c., Ry. Co., 48 Fed. R. 850, 518
v. Marietta, &c., R. Co., 75 Fed. 193, 591, 592
v. Midland R. Co., 89 Fed. 560, 471
v. Moran, 56 Minn. 188, 635
v. New York, &c., R. Co., 33 Hun (N. Y.), 513, 505, 507, 514
v. New York, &c., R. Co., 110 N. Y. 250, 500, 528, 581
v. Ohio Central R. Co., 23 Fed. R. 306, 366, 367, 452
v. Peoria, &c., R. Co., 104 Fed. 420, 508, 511
v. Richmond, &c., R. Co., 68 Fed. R. 90, 1070, 1071, 1075
v. St. Louis, &c., R. Co., 41 Fed. R. 551, 26, 528, 562, 573, 574
v. St. Louis, &c., R. Co., 40 Fed. R. 426, 573
v. Savannah, &c., R. Co., 69 Fed. 683, 1724
v. Seasongood, 130 U. S. 482, 591, 596
v. Sheffield, &c., Ry. Co., 44 Fed. R. 526, 596, 512
v. Sheffield, &c., Co., 42 Fed. R. 106, 1066

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Central Trust Co. v. South Atlantic, &c., R. Co., 57 Fed. R. 3, 533, 553
v. Tappan, 6 N. Y. S. 918, 590
v. Texas, &c., Ry. Co., 22 Fed. R. 135, 555
v. Texas, &c., R. Co., 23 Fed. R. 703, 1068
v. Texas, &c., R. Co., 23 Fed. R. 846, 514
v. Texas, &c., R. Co., 27 Fed. R. 178, 1068
v. Thurman, 94 Ga. 735, 585
v. Wabash, &c., R. Co., 27 Fed. R. 159, 1157, 1171, 1173
v. Wabash, &c., Ry. Co., 52 Fed. R. 908, 567
v. Wabash, &c., R. Co., 39 Fed. R. 417, 1649
v. Wabash, &c., R. Co., 23 Fed. R. 675, 585
v. Wabash, &c., R. Co., 32 Fed. R. 566, 41, 1057c
v. Wabash, &c., R. Co., 32 Fed. R. 187, 584
v. Wabash, &c., R. Co., 26 Fed. R. 12, 577, 1219
v. Wabash, &c., R. Co., 26 Fed. R. 896, 1257
v. Wabash, &c., R. Co., 30 Fed. R. 332, 528
v. Wabash, &c., R. Co., 29 Fed. R. 618, 551, 554, 555
v. Wabash, &c., R. Co., 29 Fed. 546, 5
v. Wabash, &c., Ry. Co., 34 Fed. R. 254, 40
v. Wabash, &c., R. Co., 34 Fed. R. 259, 582
v. Wabash, &c., R. Co., 31 Fed. R. 246, 1172, 1261
v. Wabash, &c., R. Co., 31 Fed. R. 247, 1596, 1658, 1661
v. Warren, 121 Fed. 323, 1096bl
v. Washington County R. Co., 124 Fed. 813, 42, 497
v. Western N. Car. R. Co., 89 Fed. 24, 521
Central Turnpike Corp., 7 Pick. (Mass.) 13, 1019
Central Un. Tel. Co. v. State, 123 Ind. 113, 640, 1690
v. State, 118 Ind. 194, 640, 1690
Central Vermont R. Co. v. Bateman, 75 Fed. 1021, 1588
v. Soper, 59 Fed. R. 879, 1500, 1512, 1694
v. Woodstock, R. Co., 50 Vt. 452, 1049, 1110, 1122, 1125
Central, &c., Assn. v. Vicksburg, &c., Co., 10 Int. Com. 193, 1684l
Central, &c., Boats v. Lowe, 50 Ga. 509, 1481
Central, &c., R. Co., In re. 1 Thomp. & C. (N. Y.) 419, 1119, 1120
Central, &c., R. Co. v. Brinson, 70 Ga. 207, 33, 1154, 1158, 1248, 1250, 1261, 1314
v. Bush (Tex. Civ. App.), 34 S. W. 133, 1166
v. Carr, 76 Ala. 388, 24
v. Chapman, 96 Ga. 769, 1278, 1303
v. Cheatham, 85 Ala. 292, 342
v. Chicago, &c., R. Co., 122 Ga. 11, 1571
v. Claghorn, 1 Speers Eq. (S. C.) 545, 169, 276
v. Dwight Mfg. Co., 75 Ga. 609, 1502
v. Feller, 84 Pa. St. 226, 1156, 1161, 1172
Central, &c., R. Co. v. Ft. Clark, &c., R. Co., 81 Ill. 523, 1096au
v. Georgia, &c., Exchange, 91 Ga. 389, 1434, 1441, 1459, 1482
v. Golden, 93 Ga. 510, 1158, 1172, 1261
v. Great Western, &c., R. Co., 4 R. & Canal Traf. Cas. 110, 1686
v. Hall, 124 Ga. 322, 1455, 1457, 1457a, 1497, 1501, 1510, 1545
v. Hasselkus, 91 Ga. 382, 1415, 1501, 1516
v. Henigh, 23 Kan. 347, 1163, 1259, 1260
v. Henning, 52 Tex. 466, 1065, 1067
v. Holloway, 54 S. W. 419, 1628a
v. James, 117 Ga. 832, 1480
v. Jones, 43 So. 575, 1652
v. Jorris, 68 Tex. 49, 1707
v. Keegan, 160 U. S. 259, 1272, 1288, 1294, 1317
v. Kelly, 58 Ga. 107, 1357
v. Keyton, 41 So. 918, 1057f
v. Kuhn, 86 Ky. 578, 1807, 1815
v. Lamb, 124 Ala. 172, 1356
v. Lampley, 76 Ala. 357, 1396, 1466, 1558
v. Lanier, 83 Ga. 587, 1819
v. Lee, 96 Ala. 444, 1205
v. McWhorter, 115 Ga. 476, 1301a
v. Morris, 68 Tex. 49, 3, 473, 1477, 1558, 1691
v. Murray, 93 Ga. 256, 1239
v. Nichols, 24 Kan. 242, 1218, 1220
v. Perry, 58 Ga. 461, 1585, 1589, 1628
v. Philadelphia, &c., R. Co., 95 Md. 428, 1135
v. Philippi, 20 Kan. 9, 1206
v. Phinazee, 93 Ga. 488, 467, 1573
v. Richards, 62 Ga. 306, 1378
v. Roberts, 91 Ga. 513, 1594
v. Robertson, 95 Ga. 430, 1151
v. Rouse, 80 Ga. 442, 1378
v. Rylee, 87 Ga. 491, 1169, 1258, 1260, 1261
v. Ryles, 84 Ga. 420, 1294
v. Smith, 76 Ala. 572, 368, 374
v. Spurck, 24 Ill. 587, 1059
v. State, 54 Ga. 401, 324
v. Texas, &c., R. Co., 32 Fed. 448, 1305
v. Twenty-third St. R. Co., 54 How. Pr. (N. Y.) 168, 4
v. Twine, 23 Kan. 585, 1085, 1087
v. Warren, 84 Ga. 329, 1218
Central, &c., Road Co. v. People, 5 Colo. 39, 47, 48, 52, 54
Central, &c., Co. v. Buchanan, 90 Fed. 454, 563
v. Clemens, 16 Mo. 359, 374
v. East Tennessee, &c., R. Co., 70 Fed. R. 764, 1463, 1693
v. Guthrie, 35 Ohio St. 666, 366 1675
v. Howard, 52 Cal. 227, 779
v. Louisville, &c., R. Co., 118 Fed. 113, 1551
v. Louisville, &c., R. Co., 192 U. S. 568, 1551, 1566
v. Platt, 3 Daly (N. Y.) 263, 490
v. Savannah, &c., R. Co., 69 Fed. R. 683, 1482
v. Wabash, &c., Co., 29 Fed. 546, 361

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Centralia, &c., R. Co. v. Henry, 31 Ill. App. 456, 1031, 1033
v. Rixman, 121 Ill. 214, 1040a
Cerelos Coal Co. v. Deserant, 9 N. Mex. 49, 1378a
Chable v. Nicaragua, &c., R. Co., 59 Fed. 846, 172, 536
Chacey v. Fargo, 5 N. D. 173, 1820
Chadderdon v. Michigan Cent. R. Co., 100 Mich. 293, 1248
Chadeayne v. Robinson, 55 Conn. 345, 1057f
Chadron, City of, v. Glover, 43 Neb. 732, 1699
Chadwick v. Kelley, 187 U. S. 540, 782
v. Old Colony R. Co., 171 Mass. 239, 490
v. St. Louis Transit Co., 195 Mo. 517, 1096cx
v. Tower, 6 Bing. (N. Cas.) 1, 1223
Chafee v. Quidnick Co., 13 R. I. 442, 555, 575
Chaffe v. Ludeling, 27 La. Ann. 607, 67, 72, 190, 324
v. Mississippi, &c., R., 59 Miss. 182, 1431
Chaffee v. Boston, &c., R. Co., 104 Mass. 108, 1171
v. Middlesex R. R. Co., 146 Mass. 224, 483, 484, 487
v. Rutland R. Co., 55 Vt. 110, 81, 83, 304, 312, 314, 315, 317, 319
v. United States, 18 Wall. 516, 712
Chaffee Co. v. Potter, 142 U. S. 355, 897, 898
Chaffin v. Cummings, 37 Me. 76, 132, 157
Chalcraft v. Louisville, &c., R. Co., 113 Ill. 86, 1143
Chalk v. Charlotte, &c., R. Co., 85 N. Car. 423, 1528
Chalkley v. Central Ga. R. Co., 120 Ga. 683, 1851
Chall v. Detroit, &c., Co., 140 Mich. 68, 1697
Challis v. Atchison, &c., R. Co., 45 Kan. 398, 1453
Challiss v. Atchison, &c., R. Co., 16 Kan. 117, 950, 952, 1021, 1052
v. Parker, 11 Kan. 394, 825
Chamber, &c., Co. v. Rochdale Canal, L. R. (1894) 2 Q. B. 632, 995
Chamberlain, Ex parte, 55 Fed. R. 704, 566, 636
Chamberlain v. Bromberg, 83 Ala. 576, 184, 251, 602
v. Chandler, 3 Mason (U. S. C. C.), 242, 1638
v. Cleveland, 34 Ohio St. 551, 781
v. Connecticut Cent. R. R. Co., 54 Conn. 472, 501, 505, 513
v. Hugenot, &c., Co., 118 Mass. 532, 185
v. Lyndeborough, 64 N. H. 563, 872
v. Milwaukee, &c., R. Co., 7 Wis. 425, 1585
v. Missouri, &c., R. Co. (Mo.), 33 S. W. 437, 1250
v. New York, &c., R. Co., 71 Fed. 636, 581
v. Northeastern R. Co., 41 S. Car. 399, 931, 933
v. Painesville, &c., R. Co., 15 Ohio St. 225, 111, 115, 121
v. Pullman, &c., Co., 55 Mo. App. 474, 1624
v. Railroad Co., 11 Wis. 238, 1578a
Chamberlain v. Rochester, &c., Co., 7 Hun (N. Y.), 557, 538
v. Walter, 60 Fed. R. 788, 740
v. Western Trans. Co., 45 Barb. (N. Y.) 218, 1649
Chamber of Commerce v. Flint, &c., R. Co., 2 Interst. Com. 553, 1686
v. Great Northern R. Co., 4 Interst. Com. 230, 1682
Chambers v. Baltimore & O. R. Co., 139 Pa. St. 347, 629
v. Carteret, &c., Co., 54 N. J. L. 85, 1001, 1054
v. Cincinnati, &c., R. Co., 69 Ga. 320, 925, 986, 1049, 1050
v. Lewis, 9 Iowa, 583, 1049c, 1054
v. Mineral, &c., R. Co., 39 So. 170, 1259
v. Western R. Co., 91 N. Car. 471, 1314
Chambersburg Ins. Co. v. Smith, 11 Pa. St. 120, 98
Chambersburg Turnpike Road, In re, 20 Pa. Super. Ct. 173, 1036b
Chambliss v. Mary Lee, &c., R. Co., 104 Ala. 665, 1351
Champ v. Kendrick, 130 Ind. 549, 479
Champion v. Bostwick, 18 Wend. 175, 1444, 1445, 1596
v. Hartford, &c., Co., 45 Kan. 103, 486
Chance v. East Texas R. Co., 63 Tex. 152, 632
Chandler v. Allison, 10 Mich. 460, 1804
v. Bacon, 30 Fed. R. 538, 11, 13
v. Beldon, 18 Johns. (N. Y.) 157, 1570, 1572
v. Brown, 77 Ill. 333, 177, 184, 564, 569
v. Fulton, 10 Tex. 2, 1539, 1540
v. Hanna, 73 Ala. 390, 702, 1362
v. Jamaica Pond, &c., Co., 122 Mass. 305, 1036
v. Jamaica Pond Acqueduct Co., 125 Mass. 544, 1037, 1038
v. Keith, 42 Iowa, 99, 146
v. Manchester & L. R. Co., 62 N. H. 29, 638
v. Monmouth Bank, 1 Green (N. J.), 255, 276
v. Monmouth Bank, 13 N. J. L. 255, 272
v. Morey, 195 Ill. 596, 1001
v. New York, &c., R. Co., 159 Mass. 589, 1297, 1357, 1369
v. Northern Cross R. Co., 18 Ill. 190, 193
v. Railroad Com'rs., 141 Mass. 208, 1013a
v. Siddle, 3 Dill. (U. S.) 477, 146, 555
v. Sprague, 38 Am. Dec. 419, 1426
v. Sprague, 5 Metc. (Mass.) 306, 1415
Chaney v. State, 118 Ind. 494, 789
Chapin, Matter of, 84 Hun (N. Y.), 490, 1041
Chapin v. Chicago, &c., R. Co., 79 Ia. 582, 1548, 1749
v. Connecticut, &c., R. Co., 16 Gray (Mass.), 69, 626
v. Sullivan R. Co., 39 N. H. 564, 960, 1198
v. Sullivan, &c., R. Co., 39 N. H. 53, 1180
v. Vermont, &c., R. R. Co., 8 Gray (Mass.), 575, 484
Chaplin v. Commissioners, 126 Ill. 264, 972

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

Chapman v. Atlantic, &c., R. Co., 37 Me. 92, 1221, 1223
v. Atlantic, &c., R. Co., 119 Fed. 257, 584
v. Atlantic, &c., R. Co., 70 N. Y. St. 753, 1096ci
v. Bates, 61 N. J. Eq. 658, 159
v. Board, &c., 107 U. S. 348, 871
v. Brewer, 43 Neb. 890, 1070, 1075
v. Chicago, &c., R. Co., 26 Wis. 295, 1239
v. City Council, 30 S. Car. 549, 94
v. Great Western, &c., R. Co., 42 L. T. R. (N. S.) 252, 1529
v. Great Western, &c., R. Co., L. R. 5 Q. B. Div. 278, 1464
v. Hamilton, 19 Ala. 121, 1075
v. Mad River, &c., R. R. Co., 6 Ohio St. 119, 325, 386, 928, 930
v. New Haven, &c., R. Co., 19 N. Y. 341, 1635
v. New Orleans, &c., R. Co., 21 La. Ann. 224, 1516, 1726
v. New York, &c., R. Co., 14 Hun (N. Y.), 484, 1158
v. New York, &c., R. Co., 33 N. Y. 369, 1200
v. Oshkosh, &c., R. Co., 33 Wis. 629, 995, 1076
v. Pittsburgh, &c., R. Co., 18 W. Va. 184, 1061
v. Southern Pac. R. Co., 12 Utah, 30, 1318
v. Utica, &c., R. Co., 4 Lans. (N. Y.) 96, 1065
Chapman, &c., R. Co. v. Oconto Water Co., 89 Wis. 264, 1069
Chappell v. Edmondson Ave., &c., R. Co., 83 Md. 512, 1010, 1053
v. New York, &c., R. Co., 62 Conn. 195, 420, 945
v. United States, 160 U. S. 499, 950, 951
Charge of Grand Jury, In re, 66 Fed. 146, 1612, 1680
Charge to Grand Jury, In re, 62 Fed. R. 828, 727
Charge of Grand Jury, In re, 151 Fed. 834, 1663, 1674
Charges for Transportation and Refrigeration, In re, 11 I. C. C. 129, 1684i
Charitable Assn. v. Baldwin, 1 Metc. (Mass.), 359, 244
Charitable Corporation v. Sutton, 2 Atk. 405, 278, 280
Charity Hospital v. New Orleans, &c., Co., 40 La. Ann. 382, 332, 335a
Charles H. Heer, &c., Co. v. Citizens' R. Co., 41 Mo. App. 63, 630
Charles River Bridge v. Warren Bridge, 7 Pick. (Mass.) 344, 17, 417
v. Warren Bridge, 6 Pick. (Mass.) 376, 32
v. Warren Bridge, 11 Peters (U. S.), 420, 32, 39, 433, 968, 983, 1015
Charles v. Rankin, 22 Mo. 566, 1057
Charleston, &c., R. Co. v. Blake, 12 Rich. L. (S. C.) 634, 269, 672, 995, 1035
v. County Commissioners, 7 Metc. (Mass.) 78, 985
v. Hughes, 105 Ga. 1, 949, 997, 998, 1025, 1049
v. Leech, 33 S. Car. 175, 934
v. Reynolds, 69 S. Car. 481, 1003
Charleston, &c., Co. v. Comstock, 36 W. Va. 263, 1010, 1023, 1025, 1040
Charlock v. Freel, 125 N. Y. 357, 1064
Charlotte Trouser Co. v. Seaboard, &c., R. Co., 139 N. Car. 382, 1649
Charlotte, &c., R. Co. v. Blakely, 3 Strobh. Eq. (S. C.) 245, 102, 106, 121
v. Gibbes, 27 S. Car. 385, 43, 326, 335, 676
v. Gibbes, 142 U. S. 386, 676, 689, 757, 772, 772a, 776, 777, 1662c
Charlton v. Newcastle, &c., R. Co., 5 Jur. N. S. 1096, 322, 328, 1675
Charman v. Daniel, 6 Jones (N. C.), 444, 680
v. Lake Erie, &c., R. Co., 105 Fed. 449, 650a
Charnock v. Levee Co., 38 La. Ann. 323, 781
Charping v. Toxaway Mills Co., 70 S. Car. 470, 1771
Chartered, &c., Bank v. Netherlands, &c., Co., L. R. 9 Q. B. Div. 118, 1174
Chartiers, &c., R. Co. v. Hodgens, 85 Pa. St. 501. 111, 489
v. Hodgens, 77 Pa. St. 187, 374
Chase v. Beech Creek R. Co., 144 Fed. 571, 656a
v. Burlington, &c., R. Co., 76 Iowa, 675, 1357, 1813
v. Curtis, 113 U. S. 452, 180, 185
v. East Tennessee, &c., R. Co., 5 Lea (Tenn.), 415, 109, 149, 156
v. Jamestown St. R. Co., 60 Hun. 582, 1096cu
v. Jamestown, &c., R. Co., 38 N. Y. S. 954, 1573
v. Lord, 77 N. Y. 1, 147, 185, 189
v. Maine Cent. R. Co., 167 Mass. 383, 1167
v. Maine, &c., R. Co., 77 Me. 62, 1689l, 1701, 1793
v. Maine, &c., R. Co., 78 Maine, 346, 1167
v. Michigan, &c., Co., 121 Mich. 631, 15, 329, 332
v. Miller, 88 Va. 791, 559
v. New York Cent. R. Co., 26 N. Y. 523, 1593, 1603
v. New York Cent. R. Co., 21 Barb. (N. Y.) 273, 977
v. Petroleum Bank, 66 Pa. St. 169, 569
v. Second Av. R. Co., 97 N. Y. 384, 345
v. South, &c., R. Co., 83 Cal. 468, 1691
v. Sycamore, &c., R. R. Co., 38 Ill. 215, 116
v. Tuttle, 55 Conn. 455, 262, 602
v. Vanderbilt, 62 N. Y. 307, 24, 86, 275
v. Westmore, 5 M. & S. 180, 1572
Chateau v. Allen, 70 Mo. 290, 289
Chatfield v. Wilson, 28 Vt. 49, 977
Chattanooga v. Railway, 7 Lea (Tenn.), 561, 741
Chattanooga Elec. R. Co. v. Cooper, 109 Tenn. 308, 1173
v. Roddy, 105 Tenn. 666, 1096cs
v. Felton, 69 Fed. R. 273, 461, 555, 636, 922, 961, 967, 979, 980
Chattanooga, &c., R. Co. v. Brown, 84 Ga. 256, 934

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chattanooga, &c., R. Co. v. Cincinnati, &c., R. Co., 44 Fed. R. 456, 647, 654
v. Davis, 89 Ga. 708, 42, 354, 416
v. Evans, 66 Fed. R. 809, 110, 375, 535, 600, 933
v. Huggins, 89 Ga. 494, 1696
v. Jones, 80 Ga. 264, 629, 1049a
v. Liddell, 85 Ga. 482, 211, 473, 1573, 1801
v. Myers, 112 Ga. 237, 1303
v. Whitehead, 89 Ga. 190, 1063
Chattanooga, &c., Transit Co. v. Venable, 105 Tenn. 460, 1635
Chattanooga, &c., Co. v. Hodges, 109 Tenn. 331, 1314
Chatterton v. Parrott, 46 Mich. 432, 1047, 1052
Chattock v. Bellamy, 64 L. J. Q. B. (N. S.) 250, 1399
Chauntler v. Robinson, 4 Exch. 163, 1025
Chautauqua, &c., Bank v. Risley, 19 N. Y. 369, 563, 572
Cheaney v. Hooser, 9 B. Mon. 330, 837
Cheeney v. Lafayette, &c., R. Co., 68 Ill. 570, 276
v. Ocean Steamship Co., 95 Ga. 381, 1321
Cheesebrough v. Millard, 1 Johns. Ch. (N. Y.) 409, 494
Cheesman v. Exall, 6 Exch. 341, 1426
Cheetham v. McCormick, 178 Pa. St. 187, 6
v. Union R. Co., 58 Atl. 881, 1096cw
Cheever v. Rutland, &c., R. Co., 39 Vt. 653, 540, 544, 545, 546
Chehalis Co. v. Ellingson, 21 Wash. 638, 1025
Cheltenham, &c., R. Co. v. Daniel, 2 Q. B. 281, 103
Chelmsford Co. v. Demarest, 7 Gray (Mass.), 7, 232
Chemical, &c., Bank v. Colwell, 132 N. Y. 250, 98, 241
v. Wagner, 93 Ky. 525, 292, 355
Chenango B. Co. v. Binghamton B. Co., 27 N. Y. 87, 32
v. Lewis, 63 Barb. 111, 32
v. Paige, 83 N. Y. 178, 190
Chenery v. Fitchburg R. Co., 160 Mass. 211, 1154, 1257
v. Boston, &c., R. Co., 52 Mass. 121, 1593
v. Boston, &c., R. Co., 11 Met. (Mass.) 121, 200, 1595, 1602
v. New York Cent. R. Co., 16 Hun (N. Y.), 415, 1159
Chenowith v. Dickinson, 8 B. Mon. 156, 1463
Cheraw, &c., R. R. Co. v. Commissioners, 88 N. Car. 519, 335, 606
v. White, 14 S. C. 51, 18, 107, 111
Cherokee v. Sioux City, &c., Co., 52 Iowa, 279, 952
Cherokee County v. Wilson, 109 U. S. 621, 874
Cherokee Nation v. Southern Kan., &c., R. Co., 135 U. S. 641, 33, 675, 923, 950, 980, 986, 1663
Cherokee, &c., R. Co. v. Hilson, 95 Tenn. 1, 1256, 1578
v. Renken, 77 Ia. 316, 935
Cherokee, &c., Co. v. Jones, 52 Ga. 276, 634
v. Limb, 47 Kan. 469, 1378
Cherry v. Chicago, &c., R. Co., 191 Mo. 489, 1447, 1594, 1596, 1637, 1688a
Cherry v. Kansas City, &c., R. Co., 52 Mo. App. 499, 1594
v. North, &c., R. Co., 65 Ga. 633, 1071
Cherry Creek v. Becker, 123 N. Y. 161, 858, 865
v. Becker, 2 N. Y. Supp. 514, 862, 863, 893, 894, 903
Chesapeake Beach R. Co. v. Washington, &c., R. Co., 199 U. S. 247, 931
Chesapeake R. Co. v. Anderson, 93 Va. 650, 1703
Chesapeake, &c., Canal Co. v. Binney, 4 Cranch (C. C.), 68, 1017, 1041
v. Grove, 11 G. & J. (Md.) 398, 1004
v. Hoye, 2 Gratt. (Va.) 511, 1041, 1042, 1053
v. Key, 3 Cranch (U. S. C. C.), 590, 1024
v. Mason, 4 Cranch (U. S. C. C.), 123, 970, 973, 1044
v. Union Bank, 5 Cranch (U. S. C. C.), 509, 977, 980, 1019, 1041
Chesapeake, &c., R. Co. v. American Exch. Bank (Va.), 23 S. E. 935, 1511, 1548, 1551, 1552, 1554
v. Atlantic, &c., Co., 62 N. J. Eq. 751, 585
v. Barren Co., 10 Bush (Ky.), 604, 863
v. Beasley, 104 Va. 788, 1652, 1661
v. Bradford, 6 W. Va. 220, 1033, 1046a
v. Clowes, 93 Va. 189, 1589, 1630a, 1633, 1835
v. Commonwealth, 179 U. S. 388, 1577a
v. Crews, 99 S. W. 368, 1179c, 1850
v. Davis, 22 Ky. L. 1156, 1822
v. Davis, 60 S. W. 14, 1263
v. Deepwater R. Co., 57 W. Va. 641, 79, 109, 266, 921, 926, 927
v. Dixon, 179 U. S. 131, 650a
v. Dodge, 23 Ky. L. 1959, 1802
v. Dyer Co., 38 Am. & Eng. R. Cas. 676, 1092, 1102, 1105, 1107
v. Farrow, 55 S. E. 569, 1251, 1257
v. F. W. Stock & Sons, 104 Va. 97, 1444, 1689l
v. Griest, 85 Ky. 619, 526, 600
v. Gross, 43 S. W. 203, 1088
v. Gunter, 108 Ky. 362, 1850
v. Halstead, 7 W. Va. 301, 1042
v. Harris, 103 Va. 635, 1628b
v. Hennesey, 96 Fed. 713, 1312
v. Howard, 14 App. Cas. (D. C.) 262, 447
v. Jordan, 25 Ky. L. 574, 1629, 1631, 1812
v. Kentucky, 179 U. S. 388, 1358d, 1665, 1669
v. Lang, 100 Ky. 221, 1630a, 1833, 1842
v. Miller, 114 U. S. 176, 56, 63, 525, 746, 749
v. Ogles, 24 Ky. 2160, 1173
v. Pack, 6 W. Va. 397, 969, 1041, 1046
v. Paine, 29 Gratt. (Va.) 502, 98, 626
v. Patton, 5 W. Va. 234, 1049
v. Patton, 6 W. Va. 147, 982, 1042
v. Patton, 23 App. D. C. 113, 1578a
v. Radbourne, 52 Ill. App. 203, 1516, 1718, 1719
v. Reeves, 11 Ky. L. 14, 1787

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chesapeake, &c., R. Co. v. Richardson, 98 S. W. 1042, 1148
v. Riddle, 72 S. W. 22, 1153
v. Riddle's Adm'x, 24 Ky. L. 1687, 1850
v. Rodgers, 100 Va. 324, 1257
v. Stock, 104 Va. 97, 1738
v. Virginia, 94 U. S. 718, 330, 747
v. Washington, &c., R. Co., 99 Va. 715, 1046a
v. Wells, 85 Tenn. 613, 1577a, 1665
v. Young, 3 Md. 480, 1049
Chesapeake, &c., Co. v. Baltimore, &c., Co., 66 Md. 399, 637
v. Baltimore, &c., R. R. Co., 4 G. & J. (Md.) 1, 17, 52, 53, 163, 606, 921, 931
v. Blair, 45 Md. 102, 487
v. Merchants' National Bank, 102 Md. 589, 1429
Cheshire R. Co. v. Foster, 51 N. H. 490, 1526
Chesshire v. People, 116 Ill. 493, 53
Chestatee, &c., Co. v. Cavenders Creek Co., 119 Ga. 354, 955, 956
Chester v. Baltimore, &c., R. Co., 140 Pa. St. 275, 1105, 1112
v. Dickerson, 54 N. Y. 1, 275
Chester Glass Co. v. Dewey, 16 Mass. 94, 78
Chester Trac. Co. v. Philadelphia, &c., R. Co., 188 Pa. St. 105, 1122, 1135
Chester, &c., R. Co. v. Commissioners of Caldwell County, 72 N. Car. 486, 873
Chesterfield, &c., R. Co. v. Johnson, 58 S. Car. 560, 1053
Chetlain v. Republic Life Ins. Co., 86 Ill. 220, 87, 249
Chestnut v. Pennel, 92 Ill. 55, 180
v. Southern Ind. R. Co., 157 Ind. 509, 1275
Chestnut Hill, &c., Co. v. Rutter, 4 Serg. & R. 6, 213, 617
Chevallier v. Straham, 2 Tex. 115, 1455, 1459
Chew v. Bank of Baltimore, 14 Md. 299, 93
v. Ellingwood, 86 Mo. 260, 602
v. Henrietta, &c., Co., 2 Fed. R. 5, 484
v. Lucas, 15 Ind. App. 595, 1799
Chewacla Lime Works v. Dismukes, 87 Ala. 344, 370
Chewning v. Ensley, &c., R. Co., 100 Ala. 493, 218
Cheyne v. Van Brunt, &c., Co., 89 N. Y. S. 626, 1096cx
Chicago, In re, 64 Fed. R. 897, 646
Chicago v. Apel, 50 Ill. App. 132, 1689a
v. Baer, 41 Ill. 306, 786, 787, 787a, 788, 1096am
v. Baker, 98 Fed. 830, 1086
v. Barbian, 80 Ill. 482, 1033
v. Burcky, 158 Ill. 103, 981, 1086, 1091
v. Cameron, 22 Ill. App. 91, 167, 374, 484, 620
v. Cameron, 120 Ill. 447, 374, 484, 620
v. Chicago City R. Co., 222 Ill. 560, 632, 1096ag
v. Chicago, &c., R. Co., 105 Ill. 73, 1080, 1096ac
Chicago v. Chicago, &c., Traction Co., 199 Ill. 259, 1096ag, 1096o
v. Dalle, 115 Ill. 386, 1177
v. Edson, 43 Ill. App. 417, 1812
v. Evans, 24 Ill. 52, 6, 343
v. Hall, 103 Ill. 342, 189
v. Hutchinson, 11 Biss. 484, 646, 650
v. Jackson, 196 Ill. 496, 1049
v. McDonough, 112 Ill. 85, 1038
v. McKechney, 205 Ill. 372, 1689l
v. Martin, 49 Ill. 241, 1801
v. Messler, 38 Fed. 302, 1003b
v. Murdock, 212 Ill. 9, 1057, 1063
v. O'Brennan, 65 Ill. 160, 1691, 1773
v. Powers, 42 Ill. 169, 1177
v. Rogers, &c., Co., 214 Ill. 212, 1684d
v. Rumpff, 45 Ill. 90, 193, 1096t
v. Sheldon, 9 Wall. (U. S.) 50, 40, 1092, 1096am
v. Taylor, 125 U. S. 161, 978, 1091
v. Tebbetts, 104 U. S. 120, 1003b
v. Trotter, 136 Ill. 430, 1082
v. Union, &c., Co., 47 Fed. R. 15, 257
v. Union, &c., Asso., 102 Ill. 379, 981, 1086
v. Wright, 32 Ill. 192, 782, 783
Chicago Anderson Co. v. Sobkowials, 148 Ill. 573, 1314
Chicago Board v. Chicago, &c., R. Co., 44 Ill. App. 253, 1166
Chicago City v. Robbins, 2 Black (U. S.), 418, 1064, 1092
Chicago City R. Co. v. Allerton, 18 Wall. (U. S.) 233, 86
v. Barker, 209 Ill. 321, 1764
v. Bundy, 210 Ill. 39, 1792
v. Chicago, 90 Ill. 573, 1096am
v. Considine, 50 Ill. App. 471, 1096cx
v. Delcourt, 33 Ill. App. 430, 1096cy
v. Fennimore, 199 Ill. 9, 1155
v. Jennings, 157 Ill. 274, 1096cl
v. Leach, 80 Ill. App. 354, 1768
v. McCaugua, 216 Ill. 202, 1096cy
v. Mager, 185 Ill. 336, 1096cd
v. Martensen, 100 Ill. App. 306, 1096cl
v. Mead, 206 Ill. 117, 1799
v. Morse, 98 Ill. App. 662, 1096cx
v. People, 73 Ill. 541, 1096j
v. Pural, 224 Ill. 324, 1831
v. Roach, 76 Ill. App. 496, 1096ce
v. Robinson, 127 Ill. 9, 1096ce
v. Rohe, 118 Ill. App. 322, 1689i
v. Saxby, 213 Ill. 274, 1804, 1806
v. Schmidt, 117 Ill. App. 213, 1842
v. Tooby, 196 Ill. 510, 1261
v. Tuohy, 95 Ill. App. 314, 1096cl
Chicago City, &c., R. Co. v. Neeham, 77 Ill. App. 215, 1096cy
Chicago Coal Co. v. Peterson, 39 Ill. App. 114, 1378c
Chicago Consol., &c., Co. v. Schritter, 124 Ill. App. 578, 1815
Chicago Life Ins. Co. v. Auditor, 101 Ill. 82, 601
v. Needles, 113 U. S. 574, 45, 48
Chicago Packing, &c., Co. v. Savannah, &c., R. Co., 103 Ga. 140, 1523
Chicago Park Commrs. v. McMullen, 134 Ill. 170, 1076
Chicago R. Co. v. Anderson, 80 Ill. App. 71, 1816, 1819
v. Canevin, 71 Ill. App. 81, 1816

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago R. Co. v. Carroll, 206 Ill. 318, 1777, 1812, 1815, 1843
v. Martelle, 65 Neb. 540, 1627a
v. Smith, 226 Ill. 178, 1783, 1831
Chicago, Rock Island, &c., R. Co. v. Andreesen, 62 Neb. 456, 1057d
Chicago Southern R. Co. v. Nolin, 221 Ill. 367, 996
Chicago Term. R. Co. v. O'Donnell, 114 Ill. App. 345, 1283
v. Schiavone, 216 Ill. 275, 1269
v. Walton, 74 N. E. 988, 1161
Chicago Term., &c., Co. v. Schmelling, 99 Ill. App. 577, 1096cs
v. Vandenberg, 164 Ind. 470, 1248, 1320
Chicago Trac. Co. v. Kallberg, 107 Ill. App. 90, 1831
Chicago Union Trac. Co. v. Chicago, 199 Ill. 484, 1096bl
v. Grommes, 110 Ill. App. 113, 1844
v. Hanthorn, 211 Ill. 367, 1833
v. Jacobson, 118 Ill. App. 383, 1096br
v. Jerka, 81 N. E. 7, 1764
v. O'Brien, 117 Ill. App. 183, 1756
v. O'Brien, 219 Ill. 303, 1844
v. Sawusch, 218 Ill. 130, 1318
Chicago Vault Co. v. McNulta, 153 U. S. 554, 567
Chicago, &c., Brick Co. v. Sobkowiak, 45 Ill. App. 317, 1290
v. Sobkowiak, 148 Ill. 573, 1321
Chicago, &c., Bridge Co. v. Fowler, 55 Kan. 17, 600
v. Pacific, &c., Co., 36 Kan. 113, 1049
Chicago, &c., Cab Co. v. Yerkes, 141 Ill. 320, 348
Chicago, &c., Coke Co. v. People's, &c., Co., 121 Ill. 530, 1675
Chicago, &c., Elec. R. Co. v. Chicago, &c., R. Co., 211 Ill. 352, 971, 974, 1030a
Chicago, &c., Elec. Co. v. Congdon, &c., Co. 111 Ill. 309, 622
v. Diver, 213 Ill. 26, 1096bm
Chicago, &c., R. Co., In re, 2 Interst. Com. R. 137, 1682
Chicago, &c., R. Co. v. Abbot, 44 Kan. 170, 1029
v. Abels, 60 Miss. 1017, 364, 1454, 1545, 1548
v. Ackley, 94 U. S. 179, 662, 1662c
v. Adams, 60 Ill. App. 571, 1823
v. Addizoat, 17 Bradw. (Ill. App.) 632, 1659
v. Adler, 56 Ill. 344, 52, 713
v. Allerton, 18 Wall. 233, 236
v. Ames, 40 Ill. 249, 1556
v. Anderson, 42 Kan. 297, 943
v. Andrews, 130 Fed. 65, 1179b
v. Appell, 103 Ill. App. 185, 1850
v. Armstrong, 62 Ill. App. 228, 1697
v. Arnol, 144 Ill. 261, 1582, 1585, 1589, 1628, 1629
v. Artery, 137 U. S. 507, 1303a, 1355
v. Ashling, 160 Ill. 373, 324, 335
v. Atterbury, 156 Ill. 281, 1040a
v. Auditor-General, 53 Mich. 79, 26, 28
v. Aurora, 99 Ill. 205, 112, 851, 852, 861, 900
v. Avery, 109 Ill. 314, 1288
v. Avery, 10 Ill. App. 210, 1815
v. Avery, 8 Ill. App. 133, 1269
v. Ayres, 106 Ill. 511, 978, 1087
Chicago, &c., R. Co. v. Ayres, 140 Ill. 644, 322, 354, 357
v. Babcock, 27 Sup. Ct. 326, 751b
v. Baker, 102 Mo. 553, 1003, 1003b, 1053
v. Bannerman, 15 Ill. App. 100, 1599
v. Barnes, 116 Ind. 126, 1188, 1218
v. Barnes, 164 Ind. 143, 1689a, 1689d
v. Barr, 204 Ill. 163, 1296
v. Barrett, 16 Ill. App. 17, 1592
v. Barrie, 55 Ill. 226, 1185
v. Bartlett, 120 Ill. 603, 233
v. Bayfield, 37 Mich. 205, 1304, 1807
v. Bayfield, 87 Wis. 188, 750
v. Beatty, 13 Ind. App. 604, 1291, 1292, 1768
v. Becker, 35 Fed. R. 883, 659, 693, 698, 1684c
v. Becker, 32 Fed. R. 849, 29, 218, 705
v. Becker, 84 Ill. 483, 1160, 1261
v. Becker, 128 Ill. 545, 1689i
v. Bell, 70 Ill. 102, 1158
v. Bell (Kan.), 41 Pac. 209, 1402
v. Bell, 1 Kan. App. 71, 1584, 1589, 1844
v. Bell, 44 Neb. 44, 1379, 1382, 1383
v. Benjamin, 63 Ill. 283, 1420
v. Bills, 118 Ind. 221, 1637
v. Bills, 104 Ind. 13, 1593, 1596, 1689d, 1760
v. Bingenheimer, 116 Ill. 226, 1298a
v. Birk, 99 S. W. 753, 1333a
v. Blair, 75 Ill. App. 659, 1201
v. Blake, 116 Ill. 163, 988, 990a, 1038, 1041
v. Board, &c., 49 Kan. 763, 1102
v. Board, &c., 38 Kan. 507, 863
v. Board, &c., 36 Kan. 121, 126
v. Board, &c., 43 Kan. 760, 865
v. Board, &c., 44 Ill. 244, 741
v. Board, 54 Kan. 781, 744, 751
v. Board, 48 Wis. 666, 393
v. Board, &c., 49 Kan. 399, 117, 871
v. Bockoven, 53 Kan. 279, 1259, 1260
v. Boger, 1 Bradw. (Ill.) 472, 200
v. Boger, 1 Ill. App. 478, 1601b
v. Boggs, 101 Ind. 522, 711, 1153, 1155, 1156, 1158, 1160, 1179j
v. Bourne, 105 Ill. App. 27, 1185
v. Bowman, 122 Ill. 595, 994, 1036
v. Boyce, 73 Ill. 510, 1647, 1651, 1652
v. Boyd, 4 W. Rep. 137, 940
v. Bradfield, 63 Ill. 220, 1204
v. Bragonier, 119 Ill. 51, 1278a, 1293, 1296
v. Branyan, 10 Ind. App. 570, 1368, 1378a
v. Broe, 16 Okla. 25, 1730
v. Brown, 33 Ind. App. 603, 1181, 1214, 1215
v. Brown, 157 Ind. 544, 1828
v. Bryan, 90 Ill. 126, 1637, 1845
v. Bryant, 65 Fed. R. 969, 214, 215, 1578
v. Buel, 107 N. W. 590, 1057d
v. Buie, 31 Tex. Civ. App. 654, 1833
v. Burden (Ind. App.), 43 N. E. 155, 1239, 1241
v. Burger, 124 Ind. 275, 1309
v. Burridge, 107 Ill. App. 23, 1804

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago, &c., R. Co. v. Byrum, 153 Ill. 131, 1628
v. Calumet Stock Farm, 194 Ill. 9, 1417, 1497, 1498, 1501, 1755
v. Carey, 90 Ill. 514, 977, 994, 996
v. Carpenter, 56 Fed. R. 451, 1271, 1606, 1608, 1629, 1632, 1784, 1796, 1838
v. Carroll, 5 Ill. App. 201, 1575, 1581, 1630
v. Carroll, 36 Tex. Civ. App. 359, 1746
v. Casey, 9 Ill. App. 632, 221, 1255, 1581
v. Cason, 133 Ind. 49, 547, 556
v. Casper, 42 Kan. 561, 1037, 1139
v. Cass County, 8 N. D. 18, 5, 738a
v. Catholic Bishop, 119 Ill. 525, 1036
v. Cauffman, 38 Ill. 424, 1153, 1203
v. Caulfield, 63 Fed. 396, 1258, 1816, 1819
v. C. C. Mill Elevator & Light Co., 87 S. W. 753, 1730, 1731
v. Chamberlain, 84 Ill. 333, 865, 1025, 1027, 1033, 1034
v. Chambers, 68 Fed. R. 148, 1132, 1133, 1333b
v. Champion, 9 Ind. App. 510, 1292
v. Champion (Ind.), 32 N. E. 874, 1700
v. Champion, 36 Cent. L. Jour. 280, 1700
v. Chancellor, 165 Ill. 438, 1689l, 1784
v. Chapman, 133 Ill. 96, 1498, 1510
v. Chase Co., 49 Kan. 399, 856
v. Chase Co., 43 Kan. 760, 860
v. Chautauqua Co., 49 Kan. 763, 671a
v. Chesnut Bros., 28 Ky. L. 404, 1755
v. Chicago, 121 Ill. 176, 1076, 1080, 1096h
v. Chicago, 132 Ill. 372, 1029, 1046a, 1096bm
v. Chicago, 139 Ill. 573, 785, 786
v. Chicago, 140 Ill. 309, 33, 1098, 1102, 1103
v. Chicago, 143 Ill. 641, 628
v. Chicago, 148 Ill. 479, 1033
v. Chicago, 151 Ill. 348, 1049a
v. Chicago, 166 U. S. 226, 786, 951, 979, 980, 996, 996b, 996c, 1102, 1662d
v. Chicago, 183 Ill. 341, 1081
v. Chicago City R. Co., 186 Ill. 219, 1096bk
v. Chicago, &c., R. Co., 211 Ill. 352, 973, 1096bm
v. Chicago City Railway Co., 10 Nat. Corp. R. 651, 33
v. Chicago, &c., R. Co., 91 Ia. 16, 1116, 1123
v. Chicago, &c., R. Co., 6 Biss. 219, 1122, 1125
v. Chicago, &c., R. Co., 15 Ill. App. 587, 1049, 1127
v. Chicago, &c., R. Co., 79 Ill. 121, 342, 1560, 1564, 1671
v. Chicago, &c., R. Co. 112 Ill. 589, 41, 921, 927a, 961, 966, 994, 995, 999, 1029, 1036, 1046a
v. Chicago Third Nat. Bank, 134 U. S. 276, 600
Chicago, &c., R. Co. v. Chisholm, 79 Ill. 584, 1600, 1823, 1846
v. Church, 12 Ill. App. 17, 1439
v. Cicero, 154 Ill. 656, 975a, 1025
v. Cincinnati, &c., R. Co., 126 Ind. 513, 1117
v. Clampit, 63 Ill. 95, 688, 1242
v. Clapp, 201 Ill. 418, 972a
v. Clark, 26 Neb. 645, 1063
v. Clarkson, 143 Fed. 397, 1157
v. Clausen, 173 Ill. 100, 1689a, 1689f, 1699
v. Clayton, 78 Ill. 616, 1653, 1655
v. Clerk of Norton County (Kan.), 40 Pac. 654, 872
v. Clonch (Kan. App.), 43 Pac. 1140, 1194
v. Clough, 134 Ill. 586, 1171, 1179a
v. Colby, 69 Neb. 572, 200a
v. Coleman, 18 Ill. 297, 283
v. Collins, 56 Ill. 212, 1647, 1648
v. Commrs., 49 Kan. 399, 897
v. Conklin, 32 Kan 55, 1463, 1649, 1660
v. Conley, 6 Ind. App. 9, 1594a, 1823
v. Connors, 101 S. W. 480, 1829
v. Cook, 43 Kan. 83, 1035a
v. Cooney, 196 Ill. 466, 1804, 1820
v. Corson, 101 Ill. App. 115, 1783
v. Cosper, 43 Kan. 261, 1040a
v. Cox, 145 Fed. 157, 1248
v. Cox, 51 Neb. 479, 1207
v. Crane, 113 U. S. 424, 458, 461, 472, 638, 647
v. Crawfordsville, 164 Ind. 70, 724, 1114a
v. Crisman, 19 Colo. 30, 1155, 1158, 1165
v. Crose, 113 Ill. App. 547, 1783
v. Crose, 214 Ill. 602, 1689l, 1783
v. Cullen, 187 Ill. 523, 1298a, 1315c
v. Cummings, 24 Ind. App. 192, 1264
v. Curless, 27 Ind. App. 306, 996, 1040
v. Curtis, 51 Neb. 442, 1358, 1382, 1394, 1395
v. Cutts, 94 U. S. 155, 1662c
v. Damerell, 81 Ill. 450, 1158
v. Darke, 148 Ill. 226, 476, 978, 1086
v. Davenport, 51 Iowa, 451, 737, 779
v. Davidson, 49 Kan. 589, 1036
v. Davis, 53 Fed. R. 61, 1314
v. Davis, 54 Ill. App. 130, 1475
v. Davis, 86 Ill. 20, 1049
v. Davis, 159 Ill. 53, 1474, 1475, 1478, 1480
v. DeClow, 124 Fed. 142, 1800, 1815
v. Denver, &c., R. Co., 143 U. S. 596, 357, 359, 449
v. Denver, &c., R. Co., 46 Fed. R. 145, 450
v. Derkes, 103 Ind. 520, 378
v. Des Launers, 40 Ill. App. 654, 1828
v. Dewey, 26 Ill. 255, 1169
v. Dey, 35 Fed. 866, 659, 676, 685, 695, 703, 705, 1593, 1684c, 1684d, 1684e
v. Dey, 38 Fed. R. 656, 689, 693
v. Dice, 113 Ill. App. 74, 1096cy
v. Dickinson, 74 Ill. 249, 1535
v. Dickson, 88 Ill. 431, 1158, 1251, 1264, 1762
v. Dickson, 143 Ill. 368, 1632
v. Dignan, 56 Ill. 487, 1248

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago, &c., R. Co. v. Dillon, 24 Ill. App. 203, 1150, 1151a
v. Dillon, 123 Ill. 570, 1114, 1161, 1792
v. Diver, 213 Ill. 26, 1025, 1029a
v. Doherty, 53 Ill. App. 282, 1255
v. Dougherty, 110 Ill. 521, 1155
v. Douglas Co., 95 N. W. 339, 986
v. Douglass, 33 Tex. Civ. App. 262, 1035a
v. Doyle, 60 Miss. 977, 710, 1322, 1339, 1346, 1366
v. Doyle, 18 Kan. 58, 1377
v. Drake, 33 Ill. App. 114, 1628
v. Dresel, 110 Ill. 89, 992, 1003
v. Driscoll, 176 Ill. 330, 1268, 1796
v. Driscoll, 107 Ill. App. 615, 1378b
v. DuBois, 56 Ill. App. 181, 1274, 1278, 1308
v. Dubois, 65 Ill. App. 142, 1299
v. Dumser (Ill.), 43 N. E. 698, 1575
v. Dumser, 109 Ill. 402, 1183
v. Dumser, 161 Ill. 190, 1596, 1630
v. Dunbar, 100 Ill. 110. 919, 920, 954, 958, 972, 973, 1076, 1096aa
v. Dunlap, 71 Kan. 67, 1516
v. Dunleavy, 129 Ill. 132, 1179a, 1249
v. Dunn, 23 Ill. App. 148, 1297
v. Dunn, 52 Ill. 451, 1264
v. Durand, 65 Kan. 858, 1792
v. Durant, 44 Minn. 361, 936
v. Easley, 46 Kan. 337, 1053
v. Eichman, 47 Ill. App. 156, 1138, 1142, 1145
v. Eisert, 127 Ind. 156, 1076, 1188
v. Ellis, 52 Kan. 41, 1053
v. Elmhurst, 165 Ill. 148, 787
v. Ely, 110 N. W. 539, 937, 1057, 1057d, 1057g
v. Engel, 35 Ill. App. 490, 1402
v. Engle, 58 Ill. 381, 1214
v. Engle, 84 Ill. 397, 1209
v. Englehart, 57 Neb. 444, 949, 1000
v. Englewood, &c., R. Co., 17 Ill. App. 141, 1049, 1126
v. Englewood, &c., R. Co., 115 Ill. 375, 976, 1126, 1127
v. Epperson, 26 Ill. App. 72, 1265
v. Erickson, 91 Ill. 613, 1547, 1669, 1729
v. Estes, 71 Iowa, 603, 216, 941
v. Eubanks, 32 Mo. App. 184, 1044
v. Fahey, 52 Ill. 81, 1658
v. Fairclough, 52 Ill. 106, 1652
v. Farrelly, 3 Ill. App. 60, 1198, 1201
v. Felton, 125 Ill. 458, 1642, 1696
v. Fennimore, 199 Ill. 9, 1812, 1815
v. Fenton, 125 Ill. 458, 1644
v. Ferguson, 3 Colo. App. 414, 1063, 1064
v. Few, 15 Ill. App. 125, 1807
v. Field, 7 Ind. App. 172, 1581, 1629
v. Fifth Nat. Bank, 26 Ind. App. 600, 1512
v. Fillmore, 57 Ill. 265, 1248
v. First Methodist Church, 102 Fed. 85, 1057j, 1085
v. Fisher, 49 Kan. 460, 1156, 1163, 1167, 1170
Chicago, &c., R. Co. v. Fisher, 31 Ill. App. 36, 1575
v. Fisher, 141 Ill. 614, 1630a, 1832, 1847
v. Fitzhugh, 100 S. W. 1149, 1181
v. Fitzsimmons, 40 Ill. App. 360, 1164
v. Flagg, 43 Ill. 364, 1411, 1637, 1823
v. Flexman, 103 Ill. 546, 1096dc, 1638
v. Florens, 32 Ill. 365, 1164
v. Flynn, 54 Ill. App. 387, 1297
v. Flynn, 154 Ill. 448, 1282, 1314
v. Ft. Howard, 21 Wis. 44, 31, 389
v. Fosdick, 106 U. S. 47, 505, 507, 509, 514, 515, 518, 522, 523, 527, 530
v. Fox, 70 N. E. 81, 1259, 1260
v. Francis, 70 Ill. 238, 995
v. Frazer, 55 Kan. 582, 1580, 1641
v. Freeman, 38 Kan. 597, 828
v. Fry, 131 Ind. 319, 1279, 1697
v. Fuller, 17 Wall. 560, 662, 722
v. Galey, 141 Ind. 360, 1048
v. Galt, 133 Ill. 657, 401, 948, 952c, 960, 1007, 1010
v. Gardiner, 51 Neb. 70, 1498, 1499, 1506
v. Garrity, 115 Ill. 155, 960
v. Garvy, 58 Ill. 83, 1159, 1162
v. Gasaway, 71 Ill. 570, 1669
v. Gates, 120 Ill. 86, 1026, 1033
v. Geary, 110 Ill. 383, 1288a
v. German Ins. Co. (Kan.), 42 Pac. 594, 1234
v. Gilbert, 52 Fed. R. 711, 1243, 1243a
v. Gillett, 99 S. W. 712, 1483, 1555
v. Gill n, 173 Ill. 264, 1306
v. Gillison, 72 Ill. App. 207, 1782
v. Gilmore, 22 Ind. App. 466, 1243a
v. Goebel, 20 Ill. App. 163, 1249, 1298a, 1315c
v. Goff, 158 Ill. 453, 1040a
v. Goldman, 46 Ill. App. 625, 1444
v. Goodwin, 111 Ill. 273, 629, 934, 949, 998, 1008
v. Gore, 96 Ill. App. 553, 1840, 1846
v. Goss, 17 Wis. 428, 1209
v. Goyette, 133 Ill. 21, 1226
v. Grablin, 38 Neb. 90, 1190, 1257, 1261, 1270
v. Graham, 3 Ind. App. 28, 1576, 1594, 1601, 1603
v. Gray, 131 U. S. 396, 655
v. Griffin, 68 Ill. 499, 1591c, 1594, 1602, 1637
v. Grimes, 71 Ill. App. 397, 1828
v. Grimm, 25 Ind. App. 494, 1831
v. Grinnell, 51 Ia. 476, 801
v. Groh, 85 Wis. 641, 948
v. Groves (Kan.), 44 Pac. 628, 1573, 1635
v. Grovier, 41 Kan. 685, 926, 1053
v. Gruss, 200 Ill. 195, 1257, 1820
v. Guertin, 115 Ill. 466, 1185
v. Guffey, 120 U. S. 569, 748
v. Guinn, 25 Ind. App. 494, 1589
v. Gunderson, 174 Ill. 495, 1792
v. Hagar, 11 Ill. App. 498, 1275
v. Haggerty, 67 Ill. 113, 723, 1082
v. Hague (Neb.), 66 N. W. 1000, 1628
v. Hale, 2 Ill. App. 150, 1500, 1693
v. Hall, 90 Ill. 42, 995
v. Halsell, 35 Tex. Civ. App. 126, 1730, 1755
v. Hamler, 215 Ill. 525, 1267a, 1320, 1390, 1606, 1645

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago, &c., R. Co. v. Hammond, &c., R. Co., 151 Ind. 577, 1096bp
v. Hand, 113 Ill. App. 144, 1194
v. Hans, 111 Ill. 114, 1194
v. Hansen, 166 Ill. 623, 1179a
v. Harmon, 12 Ill. App. 54, 1546
v. Harmon, 17 Ill. App. 640, 1510
v. Harney, 28 Ind. 28, 1262, 1284
v. Harrington, 192 Ill. 91, 1796
v. Harris, 54 Ill. 528, 1146, 1185, 1200
v. Hart, 209 Ill. 414, 430, 467, 472
v. Hartman, 71 Ill. App. 427, 1796
v. Hartshorn, 30 Fed. R. 541, 834
v. Harwood, 80 Ill. 88, 1160, 1378
v. Harwood, 90 Ill. 425, 1158, 1689c, 1761
v. Hawk, 36 Ill. App. 327, 1609
v. Hawk, 42 Ill. App. 322, 1498
v. Hazels, 26 Neb. 364, 978, 981
v. Hazzard, 26 Ill. 373, 1585, 1628, 1629
v. Healy, 111 N. W. 598, 1387a
v. Healy, 107 N. W. 1005, 1386
v. Hedges, 105 Ind. 398, 1154, 1162, 1165, 1175, 1689d
v. Hedges, 118 Ind. 5, 1179b
v. Heerey, 203 Ill. 492, 1288a, 1311, 1697
v. Heinrich, 157 Ill. 388, 1792
v. Henderson, 73 S. W. 36, 1563, 1754
v. Henneberry, 42 Ill. App. 126, 1056
v. Henneberry, 153 Ill. 354, 999, 1002
v. Henry, 7 Ill. App. 322, 1276, 1318
v. Henry, 218 Ill. 92, 1820
v. Herring, 57 Ill. 59, 1637, 1802
v. Hildebrand, 136 Ill. 467, 1053
v. Hinds, 56 Kan. 758, 1701
v. Hines, 132 Ill. 161, 1697
v. Hines, 183 Ill. 482, 1096ck
v. Hines, 33 Ill. App. 271, 1766
v. Hines, 45 Ill. App. 299, 1819
v. Hoag, 90 Ill. 339, 977
v. Hock, 118 Ill. 587, 996, 1012
v. Hoeffner, 44 Ill. App. 137, 1695
v. Hogan, 30 Neb. 686, 1195
v. Hogan, 105 Ill. App. 136, 975a
v. Hogan, 56 Ill. App. 577, 1828
v. Holdridge, 118 Ind. 281, 1637, 1823
v. Holland, 18 Ill. App. 418, 1827
v. Holland, 122 Ill. 461, 1820
v. Holmes, 68 Neb. 826, 1378a
v. Honey, 10 Ill. App. 535, 1820
v. Hoover, 3 Ind. Ter. 693, 1833, 1839
v. Hopkins, 90 Ill. 316, 1028, 1039
v. Hough, 61 Mich. 507, 660, 1102, 1103
v. Houston, 95 U. S. 697, 1179b
v. Howard, 6 Ill. App. 569, 1689l
v. Howard, 38 Ill. 414, 713
v. Howard, 7 Wall. (U. S.) 392, 42, 481, 511
v. Howard, 45 Neb. 570, 1388
v. Howe, 172 Ill. 601, 1288a
v. Howell, 208 Ill. 155, 1313
v. Hoyt, 122 Ill. 369, 1327
v. Hoyt, 149 U. S. 1, 1538a
v. Hubbell, 54 Kan. 232, 1565, 1566, 1677
v. Huggins, 4 Ind. Ter. 194, 1204, 1206, 1214, 1215
v. Huncheon, 130 Ind. 529, 672, 692, 1030a
v. Hunt, 79 N. E. 927, 1096bb, 1096bd
Chicago, &c., R. Co. v. Hunter, 128 Ind. 213, 1026
v. Hurst, 30 Iowa, 73, 1041, 1053
v. Huston, 196 Ill. 480, 1784
v. Huston, 95 Ill. App. 350, 1776
v. Hutchinson, 120 Ill. 587, 1157, 1171, 1179a
v. Illinois, 200 U. S. 561, 668, 1662c, 1662d
v. Illinois Central R. Co., 113 Ill. 156, 461, 632, 958, 963, 1025, 1125
v. Indianapolis, &c., Trac. Co., 165 Ind. 453, 1096bp, 1122a
v. Ingraham, 33 Ill. App. 351, 1153
v. Ingraham, 131 Ill. 659, 1096cb
v. Iowa, 94 U. S. 155, 2, 637, 662, 674, 679, 950, 1096ah, 1560, 1593, 1662c
v. Irons, 78 N. E. 207, 1102, 1220
v. Jackson, 55 Ill. 492, 1271, 1296
v. Jacobs, 110 Ill. 414, 994, 995
v. James, 75 S. W. 930, 1850
v. James, 22 Wis. 194, 204, 283
v. James, 24 Wis. 388, 283, 285
v. James, 26 Neb. 194, 1181, 1184
v. Jarrett, 59 Miss. 470, 1218
v. Jefferson, 14 Ill. App. 615, 1076
v. Jenkins, 103 Ill. 588, 200, 1463, 1567
v. Jennings, 157 Ill. 274, 1764
v. Johns, 150 Ind. 113, 771
v. Johnson, 89 Ind. 88, 3
v. Johnson, 116 Ill. 206, 1271, 1704
v. Johnson, 36 Ill. App. 564, 218
v. Johnson, 61 Ill. App. 464, 1792
v. Johnson, 24 Ill. App. 468, 1820
v. Joliet, 154 Ill. 522, 781
v. Joliet, 153 Ill. 649, 781, 786, 787
v. Joliet, 79 Ill. 25, 1080
v. Joliet, &c., R. Co., 105 Ill. 388, 1098, 1102, 1117, 1127, 1128, 1134
v. Jones, 149 Ill. 361, 676, 688, 690
v. Jones, 59 Miss. 465, 1204
v. Jones, 103 Ind. 386, 1048
v. Kansas City, &c., R. Co., 52 Fed. R. 178, 361
v. Kansas City, &c., R. Co., 110 Mo. 510, 1119
v. Kansas City, &c., Co., 78 Mo. App. 245, 1133
v. Kapp, 83 S. W. 233, 1556a, 1782
v. Katzenbach 118 Ind. 174, 1514, 1738
v. Keefe, 47 Ill. 108, 1645
v. Keegan, 112 Ill. App. 338, 1179a
v. Keith, 67 Ohio St. 279, 666, 668
v. Kellam, 92 Ill. 245, 1204
v. Kellogg, 55 Neb. 748, 1829
v. Kelly, 182 Ill. 267, 1249
v. Kelly, 221 Ill. 498, 992, 994, 995, 1038
v. Kendall, 72 Ill. App. 105, 1711
v. Kennedy, 2 Kan. App. 693, 1155, 1310
v. Keokuk, &c., Co., 108 Ill. 317, 555, 563, 570
v. Kern, 9 Ind. App. 505, 1238
v. Kerr, 104 N. W. 49, 1265, 1689e
v. Kimmel, 221 Ill. 547, 1329
v. Kinnare, 76 Ill. App. 394, 1788
v. Klauber, 9 Ill. App. 613, 1698
v. Knapp, 176 Ill. 127, 1288, 1829
v. Kneirim, 48 Ill. App. 243, 1327

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago, &c., R. Co. v. Kneirim, 152 Ill. 458, 1272, 1276, 1296, 1318
v. Knox College, 34 Ill. 195, 1049
v. Knuffke, 36 Kan. 367, 973, 996
v. Koehler, 47 Ill. App. 147, 1628, 1643
v. Kotoski, 199 Ill. 383, 1257
v. Kowalski, 92 Fed. 310, 1157
v. Krayenbuhl, 65 Neb. 889, 1259, 1689a, 1822
v. Kreig, 22 Ind. App. 393, 1243a
v. Krempel, 103 Ill. App. 1, 1812, 1819
v. Krempel, 116 Ill. App. 253, 1822
v. Lagerkrans, 65 Neb. 566, 1378b
v. Lake, 71 Ill. 333, 951, 952, 954, 964
v. Lake, 130 Ill. 42, 36
v. Lake Shore, &c., R. Co., 5 Fed. R. 19, 339
v. Lake Shore, &c., R. Co., 30 Ill. App. 120, 632
v. Landauer, 36 Neb. 642, 1702
v. Langston, 92 Tex. 709, 1699
v. Laughlin, 87 Pac. 749, 1164, 1168, 1172, 1261
v. Lawrence, 79 N. E. 363, 1298, 1315
v. Lawrence, 96 Ill. App. 635, 1783
v. Leach, 208 Ill. 198, 1317, 1333c
v. Leah, 152 Ill. 249, 995
v. Lee, 60 Ill. 501, 1177
v. Lee, 87 Ill. 454, 1093, 1161
v. Lee, 29 Ind. App. 480, 1268
v. Lee, 92 Fed. 318, 1609
v. Lee, 66 Kan. 806, 1689g
v. Legg, 32 Ill. App. 218, 1700
v. Lesh, 158 Ind. 423, 1231
v. Lewis, 109 Ill. 120, 1377
v. Lewis, 145 Ill. 67, 1586, 1589, 1831
v. Lewis, 53 Ia. 101, 801
v. Lewis, 48 Ill. App. 274, 1788
v. Lieserowitz, 197 Ill. 607, 1843
v. Lindeman, 143 Fed. 946, 1799, 1800
v. Linney, 59 Fed. R. 45, 1277, 1279, 1291
v. Loeb, 118 Ill. 203, 418, 718, 978, 1048, 1049b, 1086, 1090
v. Loer, 27 Ind. App. 245, 1036a, 1040, 1053
v. Loewenthal, 93 Ill. 433, 484, 513, 522
v. Lonergan, 118 Ill. 41, 1272
v. Long, 26 Tex. Civ. App. 601, 1812
v. Louisville, &c., R. Co. (Ky.) 58 S. W. 799, 39
v. Lowell, 151 U. S. 209, 202a, 1628
v. Luddington, 10 Ind. App. 636, 1227
v. Lundstrom, 16 Neb. 254, 1316, 1329
v. McAra, 52 Ill. 296, 1589, 1826
v. McBride, 54 Kan. 172, 1231
v. McCahill, 56 Ill. 29, 1244
v. McCammon, 61 Fed. R. 772, 528
v. McCandish, 79 N. E. 903, 1761
v. McCarthy, 20 Ill. 385, 477, 1063, 1186
v. McCarty, 49 Neb. 475, 1304
v. McDaniel, 134 Ind. 166, 1689c
v. McDaniels, 63 Ill. 122, 721, 1158
v. McDowell, 66 Neb. 170, 1799, 1800
v. McEwen, 35 Ind. App. 251, 945

Chicago, &c., R. Co., v. McGrath, 107 Ill. App. 100, 1164
v. McGraw, 22 Colo. 363, 1298a, 1775
v. McGrew, 104 Mo. 282, 632, 982
v. McGuire, 31 Ind. App. 110, 497
v. McKeigue, 126 Wis. 574, 628
v. McLallen, 84 Ill. 109, 202, 1280, 1300, 1322, 1576
v. McLaughlin, 47 Ill. 265, 1259
v. Mahara, 47 Ill. App. 208, 1590, 1641
v. Maher, 91 Ill. 312, 1025, 1048
v. Magee, 60 Ill. 529, 1200
v. Makepeace, 44 Kan. 676, 851, 851a, 870
v. Mallory, 101 Ill. 583, 823a, 863, 917
v. Maney, 55 Ill. App. 588, 1314
v. Manning, 23 Neb. 552, 621, 1516
v. Maroney, 170 Ill. 520, 1318a
v. Marseilles, 84 Ill. 145, 87, 851, 872
v. Martin, 35 Tex. Civ. App. 186, 1251
v. Martin, 178 U. S. 245, 656a
v. Martin, 28 Ind. App. 468, 1704
v. Mason, 11 Ill. App 525, 625
v. Mason, 26 Ind. App. 395, 991
v. Mawman, 206 Ill. 182, 992, 993, 995
v. May, 108 Ill. 288, 1316
v. Meech, 163 Ill. 305, 1773, 1799
v. Meech, 59 Ill. App. 69, 1812
v. Mehlsack, 44 Ill. App. 124, 1697
v. Mehlsack, 131 Ill. 61, 1578, 1844, 1845
v. Melville, 66 Ill. 329, 1042
v. Merchant's Nat. Bank, 136 U. S. 268, 484
v. Merrill, 48 Ill. 425, 1530
v. Merriman, 95 Ill. App. 628, 1293, 1307
v. Metcalf, 44 Neb. 848, 1158, 1264
v. Methodist Church, 102 Fed. 85, 1056a
v. Metropolitan, &c., R. Co., 152 Ill. 519, 964, 1001
v. Meyer, 117 Ind. 563, 627
v. Miller, 91 Mich. 166, 342
v. Miller, 76 Fed. 439, 1775
v. Milwaukee, 97 Wis. 418, 1102, 1103, 1114
v. Milwaukee, 89 Wis. 506, 784, 785, 786, 790
v. Milwaukee, &c., R. Co., 95 Wis. 561, 8, 1084, 1087, 1096a, 1096be
v. Mines, 221 Ill. 448, 985
v. Minnesota, 134 U. S. 418, 2, 43, 659, 667, 691, 703, 1096ah, 1593, 1662d
v. Minnesota, &c., R. Co., 29 Fed. R. 337, 649
v. Mitchell, 85 S. W. 286, 1553
v. Mitchie, 83 Ill. 427, 221, 1255, 1581, 1604, 1632
v. Mochell, 193 Ill. 208, 1155
v. Moffitt, 75 Ill. 524, 329, 332, 334, 977, 1092, 1112
v. Mogridge, 92 S. W. 1114, 985
v. Mohan, 187 Ill. 281, 1060
v. Montfort, 60 Ill. 175, 1438, 1723
v. Moran, 187 Ill. 316, 1060
v. Moranda, 108 Ill. 576, 1284
v. Moranda, 93 Ill. 302, 200
v. Morehouse, 112 Wis. 1, 960, 961
v. Morris, 26 Ill. 400, 1372

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago, &c., R. Co. v. Morrison, 195 Ill. 271, 966, 975a, 1053
v. Moss, 60 Miss. 641, 669, 1360, 1516
v. Mueller, 203 Ill. 558, 1288a
v. Mulford, 162 Ill. 522, 854, 1596
v. Murowski, 179 Ill. 77, 1249
v. Murphy, 198 Ill. 462, 1636, 1831
v. Myers, 95 Ill. App. 578, 1795
v. Nash, 1 Ind. App. 298, 1203
v. Nebraska, 170 U. S. 57, 2, 672
v. Nelson, 116 Ill. App. 609, 1096br
v. Netolicky, 67 Fed. R. 665, 1114, 1155, 1158, 1177
v. New York, &c., Co., 24 Fed. R. 516, 630, 936
v. New York, &c., R. Co., 22 Am. & Eng. R. Cas. 265, 342
v. Newell, 113 Ill. App. 268, 1096cv
v. Newell, 212 Ill. 332, 1630a
v. Nix, 137 Ill. 141, 996
v. Nolin, 221 Ill. 367, 991b
v. Northern, &c., Co., 70 Ill. 217, 1423, 1441, 1446, 1448, 1452
v. Northwestern, &c., R. Co., 38 Iowa, 377, 1572
v. Notzki, 66 Ill. 455, 1157
v. Nuney, 19 Colo. 36, 1171
v. O'Brien, 132 Fed. 593, 1342
v. O'Connell, 46 Kan. 581, 1801
v. O'Connor, 42 Neb. 90, 1085, 1088
v. O'Connor, 119 Ill. 586, 1375
v. O'Donnell, 101 N. W. 1009, 1689c
v. Ohle, 117 U. S. 123, 649
v. Olmstead, 46 Iowa, 316, 874
v. Olson, 97 N. W. 831, 1386
v. O'Neil, 172 Ill. 527, 1252, 1263
v. O'Neill, 58 Neb. 239, 1049b
v. Osborne, 52 Fed. R. 912, 693, 701, 1564, 1667, 1672, 1673, 1682, 1686
v. Oshkosh, 107 Wis. 192, 1096bm
v. Ostrander, 116 Ind. 259, 1224, 1242, 1244
v. O'Sullivan, 143 Ill. 48, 1156, 1795
v. Otto, 52 Ill. 416, 1830
v. Otoe, Co., 16 Wall. (U. S.) 667, 814
v. Ottumwa, 112 Ia. 300, 787
v. Owen, 21 Ill. App. 339, 1546
v. Oyster, 58 Neb. 1, 1689c, 1771
v. Ozark Township, 46 Kan. 415, 864
v. Packwood, 59 Miss. 280, 1204
v. Paddock, 75 Ill. 616, 750
v. Painter, 15 Neb. 394, 626, 1539
v. Parkinson, 56 Kan. 652, 1173
v. Parks, 18 Ill. 460, 1603
v. Parsons, 51 Kan. 408, 1040
v. Patterson, 26 Ind. App. 295, 1040a, 1049d
v. Payne, 59 Ill. 534, 1105
v. Payne, 192, Ill. 239, 1049f
v. Pearson, 82 Ill. App. 605, 1179i
v. Pearson, 184 Ill. 386, 1166a, 1179a
v. Peck, 112 Ill. 408, 484, 508, 515, 527
v. Pelletier, 134 Ill. 120, 1637, 1837
v. Pennell, 94 Ill. 448, 1238
v. Pennell, 110 Ill. 435, 1231, 1242
v. People, 153 Ill. 409, 455, 738b
v. People, 195 Ill. 184, 735
Chicago, &c., R. Co. v. People, 98 Ill. 350, 5, 738a
v. People, 99 Ill. 464, 5, 738a
v. People, 222 Ill. 396, 930, 931a, 1077
v. People, 213, Ill. 458, 739
v. People, 218 Ill. 463, 738a
v. People, 200 U. S. 561, 788b
v. People, 217 Ill. 164, 710
v. People, 152 Ill. 230, 641, 662
v. People, 67 Ill. 11, 688, 1467, 1566, 1677, 1682
v. People, 73 Ill. 541, 48, 65, 361, 1079
v. People, 4 Ill. App. 468, 970, 973
v. People, 44 Ill. App. 632, 719
v. People, 56 Ill. 365, 41, 200, 458, 637, 640, 1435, 1078, 1690
v. People, 77 Ill. 443, 701
v. People, 91 Ill. 251, 1076
v. People, 105 Ill. 657, 668
v. People, 120 Ill. 667, 723, 785
v. People's, &c., Co., 121 Ill. 530, 366, 371
v. Pettit, 209 Ill. 452, 1248, 1251
v. Pettit, 111 Ill. App. 172, 1248
v. Pfaender, 23 Minn. 217, 525
v. Pillsbury, 8 N. E. 803, 1577
v. Pillsbury, 123 Ill. 9, 1577, 1591, 1591b, 1639
v. Pioneer Fuel Co., Dist. Ct. of Woodbury Co., Iowa, January, 1892, 1567
v. Pondrom, 51 Ill. 333, 1633
v. Pontiac, 169 Ill. 155, 975a, 1098, 1103
v. Pontius, 157 U. S. 209, 1332, 1346
v. Pontius, 52 Kan. 264, 1335
v. Porter, 43 Minn. 527, 42, 952, 960, 961, 1035a
v. Porter, 72 Ia. 426, 980a
v. Posten, 59 Kan. 449, 1809
v. Pounds, 11 Lea, 130, 1360
v. Powers, 103 N. W. 678, 1548, 1551a
v. Prescott, 59 Fed. R. 237, 1166, 1169, 1171
v. President, &c., Town of Marseilles, 84 Ill. 145, 95
v. Price, 138 U. S. 185, 1058, 1059
v. Prouty, 55 Kan. 503, 1096cn
v. Provine, 61 Miss. 288, 1726
v. Pullman, &c., Co., 139 U. S. 79, 1675
v. Pullman Palace Car Co., 49 Fed. R. 400, 628
v. Pural, 224 Ill. 324, 1831
v. Putnam, 36 Kan. 121, 323, 329, 886
v. Pyne, 30 Fed. R. 86, 487
v. Quaintance, 58 Ill. 389, 688, 1224, 1228, 1244, 1245, 1245a
v. Quincy, 136 Ill. 489, 1077
v. Quincy, 136 Ill. 563, 783
v. Ragland, 84 Ill. 375, 627
v. Raidy, 203 Ill. 310, 1320
v. Railroad Com'rs., Ind. App. 78 N. E. 388, 1096ah
v. Ramsey, 79 N. E. 1065, 1213
v. Ramsey, 78 N. E. 669, 1200
v. Randolph, 53 Ill. 510, 200, 1576, 1643
v. Randolph, &c., 103 Mo. 451, 1027, 1041, 1047
v. Randolph, 199 Ill. 126, 1689i
v. Ranis, 203 Ill. 417, 1378a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago, &c., R. Co. v. Ransom. (Kan), 44 Pac. 6, 1635
v. Rathneau, 225 Ill. 278, 1333a, 1346, 1829
v. Redmond, 70 Ill. App. 119, 1689c
v. Reid, 24 Ill. 144, 1198
v. Reidy, 66 Ill. 43, 668
v. Rend, 6 Bradw. (Ill. App.) 243, 1093, 1096as
v. Reuter, 223 Ill. 387, 1057d, 1057f, 1057g
v. Reyman, 73 N. E. 587, 1474, 1522, 1527, 1713
v. Rhoades, 64 Kan. 553, 1701
v. Rhodes, 35 Tex. Civ. App. 432, 1828
v. Richardson, 28 Neb. 118, 1204, 1214
v. Richardson, 100 N. W. 950, 737
v. Richardson County, 61 Neb. 519, 5
v. Ritter (Tex.), 10 Am. & Eng. R. Cas. 202, 995
v. Robbins, 159 Ill. 598, 1057
v. Roberts, 3 Neb. 425, 1152
v. Robinson, 127 Ill. 9, 1095, 1160, 1166, 1262
v. Robinson, 106 Ill. 142, 1155, 1158
v. Ross, 112 U. S. 377, 1298, 1316, 1329
v. Rossow, 117 Fed. 491, 1179
v. Rottgering, 26 Ky. L. 1167, 988, 994
v. Rouse, 178 Ill. 132, 1339
v. Rung, 104 Ill. 641, 1299
v. Russell, 91 Ill. 298, 1269
v. Russell, 100 N. W. 156, 1172
v. Ryan, 70 Ill. 211, 1159
v. St. Anne, 101 Ill. 151, 863, 874
v. St. Paul, &c., R. Co., 54 Minn. 411, 360
v. Sanford, 23 Mich. 418, 1012, 1014, 1029, 1041
v. Saunders, 85 Ill. 288, 1185, 1200
v. Sawyer, 69 Ill. 285, 1481, 1488
v. Scanlon, 170 Ill. 106, 1311
v. Scates, 90 Ill. 586, 1590, 1628, 1636
v. Schaffer, 124 Ill. 112, 1056, 1057d
v. Schmitz, 211 Ill. 446, 1777
v. Schnelling, 197 Ill. 619, 1592
v. Schuldt, 66 Neb. 43, 1550, 1553
v. Schwanfeldt, 105 N. W. 1101, 1702
v. Scott, 42 Ill. 132, 1464, 1527
v. Scott, 225 Ill. 352, 1040
v. Scranton, 95 Ill. App. 619, 1179e
v. Seirer, 60 Ill. 295, 1185, 1200
v. Sevcek, 101 N. W. 981, 1194, 1201
v. Shaffer, 26 Ill. App. 280, 1057d
v. Shannon, 43 Ill. App. 540, 213, 1298a, 1299
v. Sharp, 63 Fed. R. 532, 1158, 1159, 1162, 1163
v. Shea, 66 Ill. 471, 1413a, 1422, 1454, 1457, 1510, 1692
v. Shea, 67 Iowa, 728, 849, 851a, 860, 886, 897
v. Sheldon, 53 Kans. 169, 1025
v. Shreve, 226 Ill. 530, 1585
v. Siders, 88 Ill. 320, 741, 741a
v. Simms, 18 Ill. App. 68, 1512
v. Slattery, 107 N. W. 1045, 1553, 1554, 1727
Chicago, &c., R. Co., v. Smith, 46 Mich. 504, 1255
v. Smith, 6 Ind. App. 262, 1228
v. Smith, 11 Bradw. (Ill. App.) 348, 1224
v. Smith, 78 Ill. 96, 1019, 1020, 1023
v. Smith, 62 Ill. 268, 1, 816, 847, 950
v. Smith, 111 Ill. 363, 418, 937, 1004
v. Smith, 10 Kan. App. 162, 1265
v. Smith, 180 Ill. 453, 1173
v. Smith, 59 Ill. App. 242, 1641
v. Smith, 110 Fed. 473, 1684b
v. Smith, 77 Ill. App. 492, 1850
v. Smith, 226 Ill. 178, 1831
v. Snedeker, 223 Ill. 395, 1290
v. Snyder, 120 Ia. 532, 994a, 1046a
v. Solan, 169 U. S. 133, 1438, 1499, 1500, 1671
v. Southern Ind. R. Co., Ind App. 70 N. E. 843, 359, 362, 372, 387
v. Sowle Elevator Co., 44 Minn. 224, 1419
v. Spence, 213 Ill. 220, 1783
v. Spilker, 134 Ind. 380, 1153, 1155, 1160, 1174, 1689l 1761
v. Springfield, &c., R. Co., 67 Ill. 142, 418, 982, 1038, 1046a, 1126, 1127
v. Spurney, 69 Ill. App. 549, 1819
v. Stafford County, 36 Kan. 121, 325
v. Stahley, 62 Fed. R. 363, 768, 1346, 1355
v. Staley, 221 Ill. 405, 994, 996
v. Starkweather, 97 Ia. 159, 966
v. State, 158 Ind. 189, 1105, 1106, 1107, 1111
v. State, 153 Ind. 134, 324, 766
v. State, 103 N. W. 1087, 638, 641, 642
v. State, 108 N. W. 557, 737
v. State, 128 Wis. 553, 740, 741
v. State, 134 U. S. 418, 686
v. Steck, 51 Kan. 737, 1057f
v. Steckman, 125 Ill. App. 299, 1807
v. Steckman, 224 Ill. 500, 668
v. Steear, 53 Neb. 95, 1655
v. Stephenson, 33 Ind. App. 95, 1167a, 1249, 1315a
v. Stepp, 151 Fed. 908, 656a
v. Stevens, 189 Ill. 226, 1269
v. Stickman, 95 Ill. App. 4, 1851
v. Still, 19 Ill. 499, 1156, 1158
v. Stone, 70 Kan. 708, 648
v. Stonecipher, 90 Ill. App. 511, 1831, 1841
v. Story, 73 Ill. 541, 1096ac
v. Stumps, 55 Ill. 367, 1156, 1697
v. Stumps, 69 Ill. 409, 1260, 1583, 1584
v. Sturgis, 44 Mich. 538, 1061, 1065, 1070
v. Sturm, 174 U. S. 710, 624, 627
v. Suffern, 129 Ill. 274, 637, 639, 643, 668, 1468, 1478 1678
v. Sullivan, 17 N. W. 460, 1704
v. Sutton, 11 C. C. A. 251, 1333b
v. Swan, 176 Ill. 424, 1768
v. Swan, 120 Mo. 30, 1029
v. Swett, 45 Ill. 197, 1271, 1273, 1697

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chicago, &c., R. Co. v. Swinney, 38 Iowa, 182, 422, 934
v. Tackett, 33 Ind. App. 379, 1296
v. Taylor, 69 Ill. 461, 1280
v. Taylor, 170 Ill. 49, 1773, 1782
v. Third Nat. Bank, 26 Fed. R. 820, 460
v. Third Nat. Bank, 134 U. S. 276, 460
v. Thomas, 165 Ind. 634, 1165, 1167
v. Thomas, 147 Ind. 35, 1155, 1689c, 1689f, 1757
v. Thompson, 19 Ill. 578, 1393, 1421, 1491
v. Thompson, 93 S. W. 702, 1506, 1512
v. Titterington, 84 Tex. 218, 945
v. Tompkins, 176 U. S. 167, 693, 1662d, 1684b, 1684c, 1684e
v. Totten, 1 Kan. App. 558, 1209, 1216
v. Touhy, 26 Ill. App. 99, 1356
v. Triplett, 38 Ill. 482, 1159, 1162
v. Trotter, 60 Miss. 442, 711, 1644
v. Troyee, 103 N. W. 680, 1582, 1606
v. Turner, 33 Ind. App. 264, 1166a, 1850
v. Ullrich, 213 Ill. 170, 1815
v. Umphenour, 69 Ill. 198, 1184, 1185
v. Union Pac. Ry. Co., 47 Fed. R. 15, 164, 358, 427, 451
v. Union, &c., Co., 109 U. S. 702, 1072, 1075
v. United States, 104 U. S. 687, 800
v. Utley, 38 Ill. 410, 1184
v. Van Dresar, 22 Wis. 511, 1550, 1552
v. VanVleck, 143 Ill. 480, 1702
v. Vaughn, 206 Ill. 234, 998
v. Voelker, 129 Fed. 522, 1296, 1296b, 1315
v. Volk, 45 Ill. 175, 216, 1096ck, 1178
v. Vosburgh, 45 Ill. 311, 1060
v. Vremeister, 112 Ill. App. 346, 1179f
v. Wabash, &c., Ry. Co., 61 Fed. R. 993, 49, 366, 385
v. Wagner, 17 Ind. App. 22, 1288, 1296
v. Walker, 9 Lea (Tenn.), 475, 621, 621a
v. Walker, 217 Ill. 605, 1579
v. Wall, 93 Ill. App. 411, 1820
v. Wallace, 66 Fed. R. 506, 1394, 1396, 1397, 1625a
v. Wallace, 85 Ill. App. 606, 1844
v. Ward, 16 Ill. 522, 1188
v. Ward, 128 Ill. 350, 994
v. Warner, 108 Ill. 538, 1815
v. Watkins, 43 Kan. 50, 986, 1051
v. Weber, 219 Ill. 372, 469
v. Wellman, 143 U. S. 339, 659, 1662c, 1662d, 1684c, 1684e, 1684g
v. West, 37 Ind. 211, 1061
v. West Chicago, &c., Co., 156 Ill. 255, 977, 1096bp, 1135
v. Wheeler, 70 Kan. 755, 1203, 1689e
v. Whipple, 22 Ill. 105, 473, 1063
v. Whipple, 20 Ill. 337, 477
Chicago, &c., R. Co. v. White, 46 Ill. App. 446, 1172
v. White, 209 Ill. 124, 1296, 1301a
v. Whiting, &c., R. Co., 139 Ind. 297, 8, 632, 977, 1096bh, 1096bp, 1096c, 1135
v. Whitton, 13 Wall. (U. S.) 270, 21, 23
v. Wiebe, 25 Neb. 542, 990a
v. Wiggins Ferry Co., 108 U. S. 18, 652
v. Wilcox (Ill.), 8 L. R. A. 494, 1262
v. Wilcox, 33 Ill. App. 450, 1827
v. Wilcox, 138 Ill. 370, 1261
v. Wild, 109 Ill. App. 38, 1302
v. Wilgus, 40 Neb. 660, 1250
v. Willard, 31 Ill. App. 435, 1594, 1637
v. Williams, 148 Fed. 442, 952, 953, 970, 975a
v. Williams, 55 Ill. 185, 41, 201, 1577a, 1638
v. Williams, 131 Ind. 30, 1702
v. Williams, 56 Kan. 333, 1167
v. Williams, 41 S. W. 501, 1168
v. Williams, 79 N. E. 442, 1353
v. Williams, 61 Neb. 608, 1553
v. Willits, 45 Kan. 110, 1057
v. Wilson, 17 Ill. 123, 392, 415, 930, 960 962, 971, 1016, 1104
v. Wilson, 23 Ill. App. 63, 1637
v. Wilson, 63 Ill. 168, 1812, 1820
v. Wiltse, 116 Ill. 449, 923, 950, 952, 955, 960, 961, 961a
v. Wimmer, 72 Kan. 566, 1628
v. Winslow, 27 Ind. App. 316, 1040, 1040a
v. Witty, 32 Neb. 275, 1510, 1511
v. Wolcott, 141 Ind. 267, 658, 1391, 1433, 1465, 1477, 1560, 1564, 1691, 1724
v. Wood, 104 Fed. 663, 1592
v. Woodward, 48 Kan. 599, 1037
v. Woodward, 164 Ind. 360, 1434, 1546, 1548a, 1734
v. Woolridge, 174 Ill. 330, 1378a
v. Woolridge, 32 Ill. App. 237, 1641
v. Woosley, 85 Ill. 370, 1063
v. Wright, 153 Ill. 307, 931
v. Wymore, 40 Neb. 645, 1387
v. Yost, 56 Neb. 439, 1298
v. Young, 96 Mo. 39, 1014, 1027, 1054
v. Young, 26 Ill. App. 115, 1322
v. Zimmerman, 12 Ind. App. 504, 1243, 1245
Chicago, &c., Min. Co. v. U. S., &c., Co., 57 Pa. St. 83, 558, 560
Chicago, &c., Traction Co. v. Newmuller, 215 Ill. 383, 1634
v. O'Connell, 224 Ill. 428, 1775
v. Schritter, 222 Ill. 364, 1096bt
Chicago, &c., Co. v. Bert, 69 Ill. 388, 1096aq
v. Burlington, &c., Co., 34 Fed. R. 481, 633, 636, 1459, 1690, 1691, 1707
v. People, 120 Ill. 104, 781, 784, 785, 786
v. Vollman, 213 Ill. 609, 751
Chick v. Fuller, 114 Fed. 22, 604
v. Southeastern, &c., R. Co., 57 Ga. 357, 1359
Chickaming v. Carpenter, 106 U. S. 663, 886

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Chickering, In re, 56 Vt. 82, 509
Chickering v. Fowler, 4 Pick. (Mass.) 371, 1520
Chicot v. Lewis, 103 U. S. 164, 828
Child v. Blethen, 40 Wash. 340, 180
v. Hearn, L. R. 9 Exch. 176, 1180, 1190
v. Hudson's Bay Co., 2 Peere Wms. 207, 191
v. New York, &c., R. Co., 129 Mass. 170, 521
v. New York Elev. R. Co., 89 App. Div. (N. Y.) 598, 1049c
Childers v. Louisville &c., R. Co., 24 Ky. L. 2375, 1057g
Childs v. Central R., &c., Co., 33 N. J. Law 323, 971, 973
v. Hurd, 32 W. Va. 66, 18
v. New Haven, &c., R. Co., 133 Mass. 253, 989
v. New Orleans, &c., R. Co., 33 La. Ann. 154, 1163
v. Penn R. Co., 150 Pa. St. 73, 1156, 1160
Chiles v. Chesapeake, &c., R. Co., 101 S. W. 386, 1577a
v. Drake, 2 Metc. (Ky.) 146, 1360, 1772, 1801
Chillicothe v. Raynard, 80 Mo. 185, 219
Chilton v. London, &c., R. Co., 16 M. & W. 212, 198, 201, 727a
v. St. Louis &c., R. Co., 116 Mo. 88, 1576
v. Union Pac. R. Co., 8 Utah, 47, 1378a
China, &c., Co. v. Force, 142 N. Y. 90, 1494, 1558, 1562
Chinn v. Chicago, &c., R. Co., 100 Mo. App. 576, 1483
Chipman v. Union Pac. R. Co., 12 Utah, 68, 1792
Chippendale v. Lancashire, &c., R. Co., 7 Eng. L. & Eq. 395, 1551
Chippewa, &c., Co. v. Chicago, &c., R. Co., 75 Wis. 224, 374, 382
Chirac v. Chirac, 2 Wheat. 259, 1671
Chisholm v. Forny, 65 Iowa, 333, 91, 110, 176
v. Williams, 128 Ill. 115, 1075
Chittenden v. Brewster, 2 Wall. 191, 553
Chitty v. St. Louis, &c., R. Co., 148 Mo. 64, 1696, 1828
Choate v. Croninshield, 3 Cliff. (C. C.) 184, 1420
v. Railway Co., 67 Mo. App. 105, 1630a
v. San Antonio, &c., R. Co., 90 Tex. 82, 1584, 1589, 1633
Choctaw, &c., R. Co. v. Baskins, 93 S. W. 757, 1179a
v. Bourland, 87 S. W. 173, 1731
v. Coker, 77 Ark. 174, 1096cn, 1851
v. Doughty, 91 S. W. 768, 1352, 1353, 1644
v. Goset, 70 Ark. 427, 1198
v. Hickey, 99 S. W. 839, 1840
v. Hill, 110 Tenn. 396, 1823, 1837
v. Jones, 92 S. W. 244, 1288a, 1314
v. McDade, 191 U. S. 64, 1268, 1269, 1288, 1288a, 1291
v. Newton, 140 Fed. 225, 1058, 1058a, 1059
v. State, 73 Ark. 373, 1468
Choctaw, &c., R. Co., v. Stroble, 96 S. W. 116, 1274
v. Walker, 71 Ark. 571, 1720
v. Zwirtz, 13 Okla. 411, 1646, 1649a
Choisser v. People, 140 Ill. 21, 824, 835, 841, 843
Chollette v. Omaha, &c., R. Co., 26 Neb. 159, 467, 473, 519
Chope v. Detroit, &c., R. Co., 37 Mich. 195, 718
Chopin v. Badger, &c., Co., 83 Wis. 192, 1283
Chorman v. Queen Anne's R. Co., 3 Penn. (Del.) 407, 1057f, 1057g
Choteau v. Thompson, 2 Ohio St. 114, 1072
Chouquette v. Southern Elec. R. Co., 152 Mo. 257, 1096p, 1096aa, 1096ce
Chouteau v. Allen, 70 Mo. 290, 813
v. Dean, 7 Mo. App. 210, 110
v. Missouri Pac. R. Co., 122 Mo. 375, 934, 937, 938, 1025
Chouteau Co. v. Floyd, 74 Mo. 286, 112
Chouteau, &c., Co. v. Holmes, 68 Mo. 601, 262
Chouteau Spring Co. v. Harris, 20 Mo. 382, 97
Chouteaux v. Leech, 18 Pa. St. 224, 1423, 1435, 1441, 1486
Chowan, &c., R. Co., v. Parker, 105 N. Car. 246, 1012, 1047
Christensen v. Colby, 43 Hun (N. Y.), 362, 186
v. Eno, 106 N. Y. 97, 90, 182
v. Graves Tank Works, 223 Ill. 142, 1267
v. Oregon Short Line R. Co., 29 Utah, 192, 1156, 1261
v. Quintard, 29 N. Y. S. R. 61, 90
v. Union Trunk Line R. Co., 6 Wash. 75, 1096cd, 1096cq, 1790
Christenson v. American Ex. Co., Minn. 270, 1401, 1401a, 1453, 1497, 1502
Christian v. American, &c., Co., 89 Ala. 198, 30
v. Columbus, &c., R. Co., 79 Ga. 460, 1265
v. Columbus, &c., R. Co., 90 Ga. 124, 1768
v. First Div. St. Paul, &c., R. Co., 20 Minn. 21, 202, 1532
Christian Jansen, In re, 128 N. Y. 550, 537, 572
Christian Union v. Yount, 101 U. S. 352, 22
Christianson v. Pacific, &c., Co., 27 Wash. 582, 1304
Christie v. Chicago, &c., R. Co. 61 Minn. 161, 1590
v. Chicago, &c., R. Co., 104 Ia. 707, 1376
v. Davis Coal Co., 95 Fed. 837, 1558
v. Griggs, 2 Camp. 79, 1583, 1651
v. Missouri Pac. R. Co., 94 Mo. 453, 364, 1467, 1565, 1676, 1680
v. The Craigton, 41 Fed. R. 62, 1534
Christman v. Philadelphia, &c., R. Co., 141 Pa. St. 604, 1344
Christopher, &c., R. Co. v. Central &c., R. Co., 67 Barb. (N. Y.) 315, 1096z

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Christ's Church v. Philadelphia, 24 How. (U. S.) 300, 69, 768
Christy v. Des Moines, &c., R. Co., 126 Ia. 428, 1288a
Chrystal v. Troy, &c., R. Co., 105 N. Y. 164, 1260
Chubb v. Upton, 95 U. S. 665, 111, 131, 132, 155, 175, 176, 181, 184, 898
Chubbuck v. Hannibal, &c., R. Co., 77 Mo. 591, 1185
Chumasero v. Potts, 2 Mont. 242, 643
Church v. Atchison, &c., R. Co., 1 Okla. 44, 1444, 1450
v. Chicago, &c., Co., 50 Minn. 218, 302, 1303, 1305
v. Chicago, &c., R. Co., 6 S. Dak. 235, 1593, 1637
v. Grand Rapids, &c., R. Co., 70 Ind. 161, 1000, 1025, 1028
v. Mayor, 5 Cowen, N. Y. 538, 1096o
v. Minneapolis, &c., R. Co., 14 S. Dak. 443, 1565
v. Northern Central R. Co., 45 Pa. St. 339, 1054
Church of Holy Trinity v. United States, 143 U. S. 457, 577
Churchill v. Chicago, &c., R. Co., 67 Ill. 390, 1595, 1598, 1602
Chy Lung v. Freeman, 92 U. S. 275, 667, 763, 1664
Cicero, &c., D. Co. v. Craighead, 28 Ind. 274, 616
Cicero, &c., R. Co. v. Brown, 89 Ill. App. 318, 1800
v. Brown, 193 Ill. 274, 1816
v. Chicago, 176 Ill. 501, 787a
v. Priest, 190 Ill. 592, 1815
v. Meixner, 55 Ill. App. 288, 1689h
Cicotte v. Ancliaux, 53 Mich. 227, 250
Cincinnati v. Bryson, 15 Ohio St. 625, 782
v. Cameron, 33 Ohio St. 336, 410
v. Lessee of White, 6 Pet. 431, 360
v. Morgan, 3 Wall. (U. S.) 275, 503, 898
v. Whetstone, 47 Ohio St. 196, 1006
Cincinnati Cooperage Co. v. Bate (Ky.), 26 S. W. 538, 51
v. Bate, 10 Lewis' Am. R. R. & Corp. R. 653, 36, 190
Cincinnati Hotel Co. v. Central Trust Co., 11 Ohio Dec. 255, 622
Cincinnati R. Co. v. Com., 80 Ky. 137, 718, 1096
Cincinnati St. R. Co. v. Murray, 53 Ohio St. 570, 1096ck
v. Snell, 54 Ohio St. 197, 1096ci
v. Whitcomb, 66 Fed. 915, 1096cb
Cincinnati Southern R. Co. v. Haas, 42 Ohio St. 239, 1033
Cincinnati, &c., Elec. R. Co. v. Cincinnati, &c., R. Co., 12 Ohio Circ. Dec. 113, 1096a
Cincinnati, &c., R. Co. v. Aller, 64 Ohio St. 183, 1251, 1256
v. Altemeier, 60 Ohio St. 10, 1378a, 1788
v. Anderson, 139 Ind. 490, 632, 966, 1104, 1125
v. Barker, 94 Ky. 71, 1238
v. Bay City, &c., R. Co., 106 Mich. 473, 1003b, 1027, 1029
v. Bell, 25 Ky. L. 10, 1628b
v. Belle Centre, 48 Ohio St. 273, 946, 974
v. Bensley, 51 Fed. 738, 116
Cincinnati, &c., R. Co. v. Berdan Co., 22 Ohio. C. C. 326, 1423, 1503
v. Bohon, 200 U. S. 221, 1650a
v. Bosworth, 46 Ohio St. 81, 416, 420
v. Bravard, 76 N. E. 899, 1096cw, 1635
v. Bunnell, 61 Ind. 183, 1208
v. Burgess, 84 S. W. 760, 1205, 1213
v. Butler, 103 Ind. 31, 1155, 1158, 1701
v. Carper, 112 Ind. 26, 1578, 1592, 1628, 1643
v. Case, 122 Ind. 310, 1423, 1483, 1555, 1689b
v. Chattanooga, &c., R. Co., 44 Fed. R. 470, 1125, 1135
v. Cincinnati Co., 12 Ohio Cir. Dec. 113, 1096bd
v. City, &c., R. Co., 48 Ohio St. 390, 8, 977
v. Claire, 6 Ind. App. 390, 1097
v. Clarke, 57 Fed. R. 125, 1322, 1306
v. Clarkson, 7 Ind. 595, 110
v. Clifford, 113 Ind. 460, 17, 19, 43, 47, 52, 629, 1689h
v. Clinton Co., 1 Ohio St. 77, 666, 821, 863, 874, 917, 950
v. Cole, 29 Ohio St. 126, 17, 663, 1637
v. Commonwealth, 81 Ky. 492, 737
v. Cooper, 120 Ind. 469, 1172, 1257, 1637, 1834
v. Cregor, 150 Ind. 625, 1845
v. Cumminsville, 14 Ohio St. 523, 1088, 1096c
v. Curd, 89 S. W. 140, 656a, 1689f
v. Danville, &c., R. Co., 75 Ill. 113, 18, 405, 957
v. Davis, 126 Ind. 99, 222, 298, 1689h
v. Dufrain, 36 Ill. App. 352, 1844
v. Duncan, 143 Ind. 524, 1701
v. Eaton, 94 Ind. 474, 1823
v. Falconer, 97 S. W. 727, 1242
v. Gaines, 104 Ind. 526, 1264
v. Geisel, 119 Ind. 77, 5, 938
v. Giboney, 100 S. W. 216, 1590
v. Grames, 136 Ind. 39, 1163
v. Gray, 101 Fed. 623, 1268, 1272, 1283, 1327a
v. Green, 14 Ky. L. 815, 1751
v. Greening, 30 Ky. L. 1180, 1545, 1556a
v. Gregg, 25 Ky. L. 2329, 1554
v. Haas, 42 Ohio St. 239, 1007, 1033
v. Hildreth, 77 Ind 504, 1191
v. Hiltzhauer, 99 Ind. 486, 1209
v. Hoffbauer, 23 Ind. App. 614, 1846
v. Hoffhines, 46 Ohio St. 643, 1689h
v. Hoffmeister, 62 Ohio St. 189, 172
v. Howard, 124 Ind. 280, 1166, 1167, 1171, 1174
v. Hudson, 88 Ky. 480, 1141
v. Interst. Com. Com., 162 U. S. 184, 1667, 1672, 1673, 1676, 1682, 1683, 1684g, 1685, 1686
v. Interstate Com. Com. 27 Sup. Ct. 648, 1673, 1678a, 1688a
v. Jenkins, 11 Ohio C. D. 130, 1850
v. Jenkins, 20 Ohio C. C. 256, 1850
v. Jolly, 161 Ind. 80, 1689c

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cincinnati, &c., R. Co. v. Jones, 111 Ind. 259, 1194, 1196, 1218
v. Kassen, 49 Ohio St. 230, 1175, 1637
v. Lang, 118 Ind. 579, 1282, 1298
v. Lohe, 68 Ohio St. 101, 1096bc, 1096bd
v. Long, 112 Ind. 166, 1298
v. Longworth, 30 Ohio St. 108, 987, 994, 995, 1036
v. McClain, 148 Ind. 188, 1628, 1630, 1643, 1696
v. McCool, 26 Ind. 140, 1464, 1535
v. McDougall, 108 Ind. 179, 616, 1186, 1208
v. McMullen, 117 Ind. 439, 1279, 1288, 1327, 1366
v. Madden, 134 Ind. 462, 1290, 1304
v. Marcus, 38 Ill. 219, 1421, 1647
v. Margrat, 51 Ohio St. 130, 1346
v. Mealer, 50 Fed. R. 725, 1310
v. Miller, 36 Ind. App. 26, 976, 996
v. Mims, 71 Ga. 240, 1038
v. Morgan Co., 143 Fed. 798, 1049a, 1098, 1108
v. Ohio Postal Tel. Co., 63 Ohio St. 306, 1030a
v. Palmer (Ky.), 33 S. W. R. 199, 1320
v. Pearce, 28 Ind. 502, 78
v. Peters, 80 Ind. 168, 1759
v. Phinney, 77 N. E. 296, 1278a
v. Pontius, 19 Ohio St. 221, 303, 1417, 1422, 1433, 1438, 1502
v. Ridge, 54 Ind. 39, 1188, 1189
v. Robertson, 139 Fed. 519, 1295
v. Rodgers, 24 Ind. 103, 1799
v. Rosenthal, 55 Ill. 85, 369
v. Sampson (Ky.), 30 S. W. R. 12, 1271
v. Sanders, 118 Ky. 115, 1545
v. Shera, 36 Ind. App. 315, 1068
v. Skillman 39 Ohio St. 444, 1637
v. Sloan, 3 Ohio St. 1, 540, 558, 560, 586
v. Smith, 22 Ohio St. 227, 1180, 1205
v. Smock, 133 Ind. 411, 1244, 1689e
v. Snell, 54 Ohio St. 197, 1096bq
v. South Fork Coal Co., 139 Fed. 528, 1235, 1242, 1244, 1689g
v. Spratt, 2 Duvall 4, 1445, 1447
v. Stahle (Ind. App.), 76 N. E. 551, 1096aa, 1096bq, 1096br, 1096p
v. Sullivan, 32 Ohio St. 152, 668, 724, 1114a
v. Thiebaud, 114 Fed. 918, 1356, 1373
v. Troy, 68 Ohio St. 510, 996c, 1103
v. Van Horne, 69 Fed. R. 139, 1374
v. Voght, 26 Ind. App. 665, 1689f, 1697
v. Wabash R. Co., 162 Ind. 303, 1125
v. Wachter, 70 Ohio St. 113, 938
v. Ward, 120 Ill. App. 212, 1057g
v. Washington, 25 Ind. 259, 936
v. Waterson, 4 Ohio St. 424, 1188
v. Webb, 8 Ky. L. 44, 1741
v. Wells, 39 Ind. 539, 854

Cincinnati, &c., R. Co. v. Whitcomb, 66 Fed. R. 915, 1094, 1095, 1096aq, 1096bq
v. Wood, 82 Ind. 593, 1194, 1702
v. Worthington, 30 Ind. App. 663, 1628
v. Wright (Ky.), 34 S. W. 526, 1166
v. Wright, 43 N. E. 688, 1261
v. Zinn, 18 Ohio St. 417, 1033
Cincinnati, &c., Co. v. Commonwealth, 81 Ky. 492, 772
v. Harris, 61 Ill. 290, 1181
v. Kentucky, 115 U. S. 321, 740, 772
v. Mara, 26 Ohio St. 185, 218
v. Peters, 80 Ind. 168, 1590, 1628, 1641, 1643
Cirello v. Metropolitan Exp. Co., 88 N. Y. S. 932, 1783
Ciriack v. Merchants', &c., Co., 151 Mass. 152, 1283
v. Merchants', &c., Co., 146 Mass. 182, 1283
Cist v. Michigan Cent. R. Co., 10 Interstate Com. 217, 1593a
Citizens' Bank v. Barnes, 70 Iowa, 412, 1377
v. Bay, &c., 110 Mich. 683, 574
v. Nantucket, &c., Co., 2 Story (U. S. C. C.), 16, 1466, 1558
v. Terrell, 78 Tex. 450, 845, 898
v. Whinery, 110 Ia. 390, 527
Citizens' Coach Co. v. Camden, &c., R. Co., 33 N. J. Eq. 267, 632, 968, 1084
Citizens Gas, &c., Co. v. Elwood, 114 Ind. 332, 1096s
v. O'Brien, 118 Ill. 174, 1304
Citizens' Horse R. Co. v. City of Belleville, 47 Ill. App. 388, 47, 54
Citizens' Insurance Co. v. Kountz Line, 4 Woods, 268, 1445
Citizens' Mut. Ins. Co. v. Lott, 45 Ala. 185, 308
v. Sortwell, 8 Allen (Mass.), 217, 164
Citizens' Nat. Bk. v. Cincinnati, &c., R. Co. (Cin. Super. Ct.) 29 Wkly. Law Bul. 15, 79
Citizens' Pass. R. Co. v. Foxley, 107 Pa. St. 537, 1095
v. Ketchum, 122 Pa. St. 228, 1096ct
v. Pittsburg, 104 Pa. St. 522, 6
Citizens R. Co. v. Africa, 100 Tenn. 26, 1096g, 1096m, 1096aa
v. Gifford, 19 Tex. Civ. App. 631, 1096cm
v. Hair (Tex. Civ. App.), 32 S. W. 1050, 1096cn
v. Holmes, 19 Tex. Civ. App. 266, 1096ce
Citizens Rapid Transit Co. v. Dew, 100 Tenn. 317, 1190
Citizens' Savings Assn. v. Perry County, 156 U. S. 692, 819, 849, 865, 872, 898
v. Topeka, 20 Wall. 655, 895, 903
Citizens' State Bank v. Kalamazoo, &c., Bank, 111 Mich. 313, 191
Citizens' St. R. Co. v. Albright, 14 Ind. App. 433, 1764
v. Ballard, 22 Ind. App. 151, 1096cb, 1096cc
v. Carey, 56 Ind. 396, 1095, 1096cb, 1096ce

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Citizens' St. R. Co. v. City R. Co., 64 Fed. R. 647, 59, 75, 1077, 1096l, 1096p
v. Clark, 33 Ind. App. 190, 1638
v. Cooper, 22 Ind. App. 459, 1368
v. Damm, 25 Ind. App. 511, 1096cq
v. Hamer, 29 Ind. App. 426, 1096cl, 1096cq
v. Helvie, 22 Ind. App. 515, 1096bq
v. Hobbs, 15 Ind. App. 610, 1804
v. Hoffbauer, 23 Ind. App. 614, 1096cz, 1636
v. Huffer, 26 Ind. App. 575, 1759
v. Jones, 34 Fed. R. 579, 32, 361, 1078, 1080, 1096q, 1096s
v. Lowe, 12 Ind. App. 47, 1096ce
v. Memphis, 53 Fed. R. 715, 43, 61, 330, 331, 335
v. Merl, 134 Ind. 609, 1096ce, 1096cr, 1096cs 1402
v. Robbins, 128 Ind. 449, 97
v. Sheperd, 29 Ind. App. 412, 1832
v. Shepherd, 30 Ind. App. 193, 1096cy
v. Steen, 42 Ark. 321, 1095, 1096cb, 1096cd, 1096cq, 1802
v. Stockdell, 159 Ind. 25, 1777
v. Stoddard, 10 Ind. App. 278, 1096cl, 1172, 1261, 1262
v. Twiname, 111 Ind. 587, 1096cr, 1402, 1573, 1696
v. Twiname, 121 Ind. 375, 1808, 1822
v. Willoeby, 134 Ind. 563, 1637, 1699, 1834
Citizens' Sav. Bank v. Owensboro, 173 U. S. 636, 61
Citizens', &c., Assn. v. Coriell, 34 N. J. Eq. 383, 280
v. Perry Co., 156 U. S. 692, 856
Citizens', &c., R. Co. v. Cody, 166 U. S. 606, 652
v. Harrisburg, &c., R. Co., 164 Pa. St. 274, 1135
v. Ketchem, 122 Pa. St. 228, 1096cb, 1096cc
Citizens', &c., Co. v. Camden, &c., R. Co., 33 N. J. Eq. 267, 1096at
v. Gillespie, 115 Pa. St. 564, 146
v. Jolly, 161 Ind. 80, 1096cs, 1579
v. Union, &c., Co., 106 Fed. 97, 623
City v. Lamson, 9 Wall. (U. S.) 477, 916
City Bank v. Bartlett, 71 Ga. 797, 132
v. Bruce, 17 N. Y. 507, 87, 95
v. Rome, &c., R. Co., 44 N. Y. 136, 1426, 1523
City Council v. Ashley, &c., Co., 34 S. Car. 541, 1698
v. Georgia R. Co., 98 Ga. 161, 964
v. Sayre, 65 Ala. 564, 751
v. Wentworth, &c., Baptist Church, 4 Strob. 306, 831
City Delivery Co. v. Henry, 139 Ala. 161, 1772
City Elec. St. R. Co. v. Conery, 61 Ark. 381, 1096cm
v. First Nat., &c., Bank, 62 Ark. 33, 210
City F. Insurance Co. v. Carrugi, 41 Ga. 660, 492
City Hotel v. Dickinson, 6 Gray (Mass.), 586, 18
City Ins. Co. v. Commercial Bank, 68 Ill. 348, 612
City National Bank v. Goshen, &c., Co., 163 Ind. 214, 604
City R. Co. v. Citizens' St. R. Co., Ind. 52 N. E. 151, 1096l, 1096n, 1096p, 1096v, 1096s
v. Citizens' St. R. Co., 166 U. S. 557, 1096m, 1096n, 1096r, 1096s
v. Lee, 50 N. J. L. 435, 1096cp, 1096cz, 1643, 1636
v. Mayor &c., of Savannah, 77 Ga. 731, 668
v. Findley, 76 Ga. 311, 1402
v. Moores, 80 Md. 348, 1063, 1064
v. Savannah, 77 Ga. 731, 1082, 1096ag
Claflin v. Boston, R. Co., 7 Allen (Mass.), 341, 1526, 1535
v. Farmers', &c., Bank, 25 N. Y. 293, 288
v. South Car. R. Co., 4 Hughes (U. S. C. C.), 12, 500
v. South Carolina R. Co., 8 Fed. R. 118, 216, 484, 487, 527
Claiborne v. Chesapeake, &c., R. Co., 46 W. Va. 363, 1801
Claiborne County v. Brooks, 111 U. S. 400, 768, 823, 827, 831, 839, 891, 902, 916
Claiborne St., In re, 4 La. Ann. 7, 1045
Claim of Zulueta, L. R. 5 Ch. 444, 95
Clair v. Rhode Island Co., 27 R. I. 238, 1634
Clampit v. Chicago, &c., R. Co., 84 Iowa, 71, 1153, 1154, 1249, 1761
Clancy v. New York City R. Co., 100 N. Y. S. 1046, 1096cl
Clap v. Interstate Ry. Co., 61 Fed. R. 537, 555
Clapp v. Astor, 2 Edw. Ch. (N. Y.) 379, 306
v. Boston, 133 Mass. 367, 1049c
v. Cedar Co., 5 Ia. 15, 882, 913
v. Clapp, 49 Hun (N. Y.), 195, 584
v. Kemp, 122 Mass. 481, 1338
v. Manter, 78 Me. 358, 1048
v. Marice City, 111 Fed. 103, 897
v. Minneapolis, &c., R. Co., 36 Minn. 6, 1378, 1378a
v. Peterson, 104 Ill. 26, 87, 95, 315
v. Spokane, 53 Fed. R. 515, 514
Clapper, Ex parte, 3 Hill (N. Y.), 458, 969
Clardy v. St. Louis, &c., R. Co., 73 Mo. 576, 1185
Clare v. New York, &c., R. Co., 172 Mass. 211, 1375
v. Sacramento, &c., Co., 122 Cal. 504, 1812, 1825
Clarence R. Co. v. Great North of England Junction R. Co., 4 Q. B. 46, 74
Clarendon v. Rutland R. Co., 75 Vt. 6, 1098, 1109
Clark, In re, 3 Interst. Com. C. R. 649, 1686
Clark v. American Coal Co., 86 Iowa, 436, 79
v. American Exp. Co., 130 Ia. 254, 724, 1530, 1730
v. Averill, 31 Vt. 512, 625
v. Bacorn, 116 Fed. 617, 574
v. Barnard, 108 U. S. 436, 26, 28, 154
v. Barnwell, 12 How. 272, 1420, 1423, 1481, 1516
v. Bennett, 123 Cal. 275, 1096aq, 1096ce
v. Bever, 139 U. S. 96, 90

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Clark v. Boston, &c., R. Co., 64 N. H. 323, 668, 723, 1155
v. Boston, &c., R. Co., 164 Mass. 434, 1166a
v. Brockway, 3 Keyes (N. Y.), 13, 569
v. Burns, 118 Mass. 275, 1654
v. Canadian Pac. R. Co., 69 Fed. R. 543, 1155
v. Central R. R., &c., Co., 66 Fed. R. 803, 528, 580
v. Chicago, &c., R. Co., 127 Mo. 197, 33, 1585, 1589, 1635, 1689g
v. Chicago, &c., R. Co., 92 Ill. 43, 1320
v. Chicago, &c., R. Co., 28 Minn. 69, 1689c
v. Continental, &c., Co., 57 Ind. 135, 103, 155
v. Dillon, 97 N. Y. 370, 1689e
v. Durham Trac. Co., 138 N. Car. 77, 1808
v. Eastern R. Co., 139 Mass. 423, 1652a
v. Edgar, 84 Mo. 106, 282
v. Eighth Ave. R. Co., 36 N. Y. 135, 1096cz, 1630, 1636
v. Farmers', &c., Co., 15 Wend. 256, 266
v. Farrington, 11 Wis. 306, 110
v. Foot, 8 Johns. 421, 1223
v. German, &c., Bank, 61 Miss. 611, 98
v. Glidden, 60 Vt. 702, 949
v. Hannibal, &c., R. Co., 36 Mo. 202, 670b, 718, 946b, 976, 1004, 1057, 1063
v. Herington, 186 U. S. 206, 803
v. Howard, 88 Fed. 199, 1256
v. Iowa City, 20 Wall. (U. S.) 583, 486, 769
v. Janesville, 10 Wis. 136, 818, 897
v. Janesville, 13 Wis. 414, 867
v. Kansas City, &c., R. Co., 129 Fed. 341, 1222, 1238
v. Lewis, 35 Ill. 417, 1708
v. Liston, 54 Ill. App. 578, 1302
v. Louisville, &c., R. Co., 18 Ky. L. 1082, 1633
v. Lynch, 4 Daly, 83, 1539
v. Manchester, 62 N. H. 577, 1259
v. Masters, 1 Bosw. 177, 1558
v. Mayor, 4 N. Y. 338, 1060
v. Merchants', &c., 151 Mass. 352, 1337
v. Michigan Cent. R. Co., 113 Mich. 24, 1154, 1258
v. Missouri Pac. R. Co., 48 Kan. 654, 1288, 1689e
v. Missouri Pac. Railway Co., 35 Kan. 350, 1158
v. Missouri, &c., R. Co., 179 Mo. 66, 1283
v. Nash, 27 Utah, 158, 953
v. New York, &c., R. Co., 80 Hun (N. Y.), 320, 1315e
v. Northern Pac. R. Co., 47 Minn. 380, 1167, 1179b
v. Northern Pac. R. Co., 29 Wash. 139, 1154
v. Ohio, &c., R. Co., 34 W. Va. 200, 1181
v. Pacific R. Co., 39 Mo. 184, 1457a
v. Reyburn, 8 Wall. (U. S.) 318, 530
v. Richards, 1 Conn. 53, 1693
v. Richmond, &c., R. Co., 78 Va. 709, 1271
Clark v. Ridgely, 1 Md. Ch. 70, 558
v. St. Louis, &c., R. Co., 64 Mo. 440, 1490, 1516, 1549, 1693, 1694, 1716
v. St. Paul, &c., R. Co., 28 Minn. 128, 1269, 1287, 1312
v. Sheldon, 106 N. Y. 104, 868
v. Smith, 13 Pet. 195, 697, 702
v. Spence, 10 Watts. (Pa.) 335, 1711
v. Titusville, 184 U. S. 329, 772a
v. Turner, 73 Ga. 1, 112
v. Utica, 18 Barb. 451, 1012
v. Van Vleck, 112 N. W. 648, 1813
v. Vermont, &c., R. Co., 28 Vt. 103, 949, 1005, 1063, 1181
v. Wabash R. Co., 109 N. W. 309, 932, 1049
v. Washington, 12 Wheat. (U. S.) 40, 519
v. Wilmington, &c., R. Co., 91 N. Car. 506, 1594, 1603, 1637
v. Wilmington, &c., R. Co., 109 N. Car. 430, 1257
v. Worcester, 125 Mass. 226, 972
Clark Cement Co. v. Wright, 16 Ind App. 630, 1288a
Clarke v. Birmingham, &c., Bridge Co., 41 Pa. St. 147, 976, 1057c
v. Blackmar, 47 N. Y. 150, 923, 1076, 1096
v. Carfin Coal Co., L. R. (1891) A. C. 412, 1368
v. Central R., &c., Co., 50 Fed. Rep. 338, 95, 159, 162
v. Central R., &c., Co., 54 Fed. R. 556, 567
v. Central R., &c., Co., 66 Fed. R. 16, 536, 579, 586
v. Chicago, &c., Co., 23 Neb. 613, 1029
v. Cleveland, 9 Ohio C. C. 118, 1001
v. Cuckfield Union, 21 L. J. Q. B. 349, 41
v. Dickson, 6 C. B. (N. S.) 452, 13a, 282
v. Ganz, 21 Minn. 387, 751
v. Gilmanton, 12 N. H. 515, 1025
v. Hancock County, 27 Ill. 305, 897
v. Holmes, 7 H. & N. 937, 1282, 1295, 1307
v. Manchester, 56 N. H. 502, 1031
v. Needles, 25 Pa. St. 338, 1409
v. New York, &c., R. Co., 26 R. I. 59, 1239
v. Ohio River R. Co., 39 W. Va. 732, 1143
v. Omaha, &c., R. Co., 4 Neb. 458, 71, 323, 519
v. Pennsylvania, &c., R. Co., 132 Ind. 199, 1318, 1329
v. Philadelphia, &c., Co., 4 Houst. (Del.) 158, 763
v. Rochester, 24 Barb. (N. Y.) 446, 821
v. Rochester, &c., R. Co., 14 N. Y. 570, 1481, 1516, 1545, 1546, 1549, 1553
v. Rochester, &c., R. Co., 18 Barb. 350, 422, 935, 1141
v. Thomas, &c., Co., 34 Ohio St. 46, 132, 175, 184, 569
Clarkhuff v. Wisconsin, &c., R. Co., 26 Fed. R. 465, 655
Clarksburg, &c., R. Co. v. Clarksburg, 47 W. Va. 739, 1096s
Clarkson v. DePeyster, 3 Paige, 320, 73

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Clarkson v. Clarkson, 18 Barb. 646, 307
v. Hudson River R. Co., 12 N. Y. 304, 18
Clarksville, &c., Turnp. Co. v. Atkinson, 1 Sneed (Tenn.), 426, 1039, 1041, 1044
Clarmont, &c., Co. v. Royce, 42 Vt. 730, 398
Clary v. Hoagland, 5 Cal. 476, 1054
v. Iowa, &c., R. Co., 37 Iowa, 344, 1237
v. Midland, &c., R. Co., 37 Iowa, 344, 1208
Clason v. Milwaukee, 30 Wis. 316, 202
Clawson v. Chicago, &c., R. Co., 95 Ind. 152, 719, 1099, 1105
Clay v. Central, &c., R. Co., 84 Ga. 345, 1360, 1367, 1368
v. Chicago, &c., R. Co., 56 Ill. App. 235, 1298a, 1318
v. East Tenn., &c., R. R. Co., 6 Heisk. (Tenn.) 421, 495
v. Hawkins County, 5 Lea (Tenn.), 137, 900
v. Nicholas County, 4 Bush, 154, 827
v. Pittsburgh, &c., R. Co., 164 Ind. 439, 1057g
v. Rufford, 19 Eng. L. & E. 350, 440
v. Society, &c., 104 U. S. 579, 832, 863, 901, 903
Clay Co. v. McAleer, 115 U. S. 616, 874, 918
Claybaugh v. Baltimore, &c., R. Co., 108 Ind. 262, 1043
v. Kansas City, &c., R. Co., 56 Mo. App. 630, 1329
Claybrook v. Board, 114 N. C. 453, 823b, 883
Clayton v. Chicago, &c., R. Co., 67 Iowa, 238, 1040
v. Hunt, 3 Camp. 27, 1661
v. Ore., &c., Co., 109 N. C. 385, 91
Clear Lake Water, Matter of, 48 Cal. 586, 1041
Clearwater v. Meredith, 1 Wall. (U. S.) 25, 322, 325, 327, 606
Cleaves v. Pigeon, &c., Co., 145 Mass. 541, 1163
Clegg v. Hamilton, &c., Co., 61 Iowa, 121, 18
v. Southern, &c., R. Co., 135 N. Car. 148, 1525, 1560
Cleghorn v. Western R. Co., 134 Ala. 601, 1179e, 1264
Cleland v. Thornton, 43 Cal. 437, 1239
Clelland v. Louisville, &c., R. Co., 94 Ind. 276, 1637
Clem v. Newcastle, &c., R. Co., 9 Ind. 488, 127
Clemens v. Chicago, &c., R. Co., 128 Ia. 394, 1257
v. Connecticut, &c., Ins. Co., 184 Mo. 46, 1096
v. Hannibal, &c., R. Co., 53 Mo. 366, 1231
v. Luce, 101 Cal. 432, 505
Clemmens El. R. Co. v. Walton, 173 Mass. 286, 1096ad
Clement v. Canfield, 28 Vt. 302, 1208
v. Cincinnati (Ohio), 16 W. L. Bull. 355, 6, 9
v. Durgin, 5 Me. 9, 949
v. Metropolitan, &c., R. Co., 123 Fed. 271, 1057c
v. Pere Marquette R. Co., 138 Mich. 57, 1215
Clement v. Speer, 56 Vt. 401, 1824
Clements v. Alabama, &c., R. Co., 127 Ala. 166, 1847
Clements v. Baltimore, &c., R. Co., L. R. (1894) 2 Q. B. 482, 1384
v. Burlington, &c., R. Co., 74 Ia. 442, 1741
v. Schuylkill, &c., R. R. Co., 132 Pa. St. 445, 1058
Clementson v. Grand Trunk, &c., R. Co., 42 U. C. Q. B. 263, 1541, 1542
Cleneay v. Junction R. Co., 26 Ind. 375, 625
Clerc v. Morgan, &c., R. Co., 107 La. Ann. 370, 1590, 1633, 1636
Cleveland v. Bangor St. R. Co., 86 Me. 232, 1096cn
v. Burnham, 55 Wis. 598, 179
v. City Council of Augusta, 102 Ga. 233, 1111
v. Cleveland City R. Co., 194 U. S. 517, 1096m, 1096ah, 1096bl
v. Cleveland, &c., R. Co., 147 Fed. 171, 651
v. Cleveland, &c., Co., 201 U. S. 529, 335a, 1096m
v. Grand Trunk, &c., R. Co., 42 Vt. 449, 1222, 1240, 1242, 1243a, 1245
v. Heath, 22 Ind. App. 47, 1555
v. Lurnham, 55 Wis. 598, 108
v. Marine Bank, 17 Wis. 545, 179
v. New Jersey Steamboat Co., 68 N. Y. 306, 1584, 1639
v. Spencer, 73 Fed. R. 559, 1670
v. Tripp, 13 R. I. 50, 781
Cleveland City R. Co. v. Osborn, 66 Ohio St. 45, 1096cx
Cleveland Cotton Mills v. Cleveland Co., 108 N. Car. 684, 849
Cleveland Elec. R. Co. v. Cleveland (U. S.), 27 Sup. Ct. 202, 1096m, 1096ac
Cleveland First Nat. Bank v. Shedd, 121 U. S. 74, 522
Cleveland Rolling Mill Co. v. Corrigan, 46 Ohio St. 283, 1261, 1283
Cleveland, &c., R. Co. v. Adair, 12 Ind. App. 569, 1154, 1250, 1257, 1260
v. Backus, 133 Ind. 513, 21, 736a, 738, 757, 761, 772, 776
v. Baddeley, 150 Ill. 328, 1378a
v. Baker, 91 Fed. 224, 1282, 1296b, 1829
v. Ball, 5 Ohio St. 568, 990, 995, 996, 1037, 1038
v. Ballentine, 84 Fed. 935, 1258
v. Bartram, 11 Ohio St. 457, 41, 199, 1576, 1582, 1593, 1595
v. Beckett, 11 Ind. App. 547, 1594, 1601, 1603, 1823, 1828
v. Berry, 152 Ind. 607, 1267a, 1689f
v. Board, 19 Ind. App. 58, 736a
v. Brown, 56 Fed. R. 804, 1329
v. Brown, 45 Ind. 90, 1185
v. Brown, 73 Fed. 970, 1329
v. Carey, 33 Ind. App. 275, 1158
v. Cleveland, 137 Fed. 111, 1096bi
v. Cline, 111 Ill. App. 416, 1257
v. Closser, 126 Ind. 348, 49, 200, 367, 385, 1467, 1565
v. Coburn, 91 Ind. 557, 939, 940, 941
v. Coffman, 30 Ind. App. 462, 1114b, 1179b, 1689g, 1689l
v. Connersville, 147 Ind. 277, 724, 1082, 1114a
v. Crawford, 24 Ohio St. 631, 1163, 1175, 1214, 1226
v. Crossley, 36 Ind. 370, 1193, 1220c
v. Curran, 19 Ohio St. 1, 1584, 1605, 1608, 1645

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cleveland, &c., R. Co. v. Drulen, 118 Ky. 237, 1494, 1512
v. Dugan, 18 Ind. App. 435, 1057
v. Edward C. Jones Co., 20 Ind. App. 87, 789a
v. Elliott, 28 Ohio St. 340, 1165, 1204, 1209
v. Erie, 27 Ohio St. 380, 52
v. Gray, 148 Ind. 266, 1132
v. Haas, 35 Ind. App. 626, 1269, 1271a, 1283
v. Haas, 74 N. E. 1003, 1268
v. Halbert, 179 Ill. 196, 1158
v. Hamilton, 200 Ill. 633, 668
v. Hammer, 27 Ohio C. C. 320, 1848
v. Harrington, 131 Ind. 426, 668, 1082, 1166a, 1179a
v. Hayes, 79 N. E. 448, 1224
v. Heath, 22 Ind. App. 47, 1497, 1514, 1720, 1689e
v. Heine, 28 Ind. App. 163, 1114b, 1171, 1179d
v. Henry, 80 N. E. 636, 1645
v. Himrod, &c., Co., 37 Ohio St. 321, 236, 342
v. Himrod Furnace Co., 37 Ohio St. 434, 1828
v. Huddleston, 21 Ind. App. 621, 938, 1057, 1057f
v. Illinois, 177 U. S. 514, 1627a, 1668
v. Jenkins, 174 Ill. 398, 1689h
v. Jewett, 37 Ohio St. 649, 556
v. Johns, 106 Ill. App. 427, 1097, 1114e
v. Keary, 3 Ohio St. 201, 1316
v. Keely, 138 Ind. 600, 1169, 1171, 1262
v. Kelly, 5 Ohio St. 180, 1058
v. Ketcham, 133 Ind. 346, 1578, 1604,
v. King, 23 Ind. App. 573, 1057
v. Kinsley, 27 Ind. App. 135, 1598, 1823
v. Klee, 154 Ind. 430, 1257
v. Knickerbocker Trust Co., 86 Fed. 73, 1066, 1071
v. Lindsay, 33 Ind. App. 404, 1689a, 1766
v. McClintock, 91 Fed. 223, 1829
v. McClung, 119 U. S. 454, 1570
v. McConnell, 26 Ohio St. 57, 1193, 1195
v. Manson, 30 Ohio St. 451, 1262, 1630
v. Marsh, 63 Ohio St. 236, 1252, 1260
v. Martin, 13 Ind. App. 485, 1251, 1303
v. Miles, 162 Ind. 646, 1158, 1172, 1179j
v. Miller, 149 Ind. 490, 1175, 1689d, 1762
v. Moline Plow Co., 13 Ind. App. 225, 1415, 1537, 1544
v. Monaghan, 140 Ill. 474, 1783
v. Moneyhun (Ind.), 44 N. E. 1106, 1630
v. Moss, 89 Ill. App. 1, 1850
v. Munsell, 192 Ill. 430, 1147
v. Newbrander, 40 Ohio St. 15, 1198
v. Newell, 75 Ind. 542, 1589, 1634
v. Newell, 104 Ind. 264, 1587, 1689g, 1701, 1800, 1815, 1848
v. Nowlin, 163 Ind. 497, 1048, 1050
v. Ohio, &c., Cable Co., 68 Ohio St. 306, 996b, 1035a
v. Osgood, 70 N. E. 839, 1366a
Cleveland, &c., R. Co. v. Osgood, 73 N. E. 285, 1267a
v. Osgood, 36 Ind. App. 34, 1366a
v. Pattison, 67 Ill. App. 351, 1090
v. Patton, 104 Ill. App. 550, 1734
v. Peirce, 34 Ind. App. 188, 1697
v. Penketh, 27 Ind. App. 210, 1166a, 1179d
v. Perishow, 61 Ill. App. 179, 1708
v. Perkins, 17 Mich. 296, 1724
v. Polecat Drainage Dist., 213 Ill. 83, 1040a
v. Porter, 76 N. E. 179, 791
v. Porter, 74 N. E. 260, 789a
v. Potts & Co., 33 Ind. App. 564, 1415, 1417, 1423, 1440, 1502, 1512, 1526, 1726, 1732
v. Prentice, 13 Ohio St. 373, 1029
v. Prewitt, 134 Ind. 557, 334, 1689l
v. Quillen, 22 Ind. App. 496, 1823
v. Richerson, 19 Ohio C. C. 385, 1850
v. Robbins, 35 Ohio St. 483, 80, 98, 306
v. Rowan, 66 Pa. St. 393, 1701
v. St. Bernard, 15 Ohio C. C. 588, 1114a
v. Sargent, 19 Ohio St. 438, 1519, 1531
v. Schneider, 80 N. E. 985, 1850
v. Schneider, 45 Ohio St. 678, 1157
v. Scott, 79 N. E. 226, 1058
v. Scott, 111 Ill. App. 234, 1831, 1839
v. Selsor, 55 Ill. App. 685, 1273
v. Sloan, 11 Ind. App. 401, 1272, 1689l
v. Snow, 74 N. E. 908, 1268
v. Southerland, 19 Ohio St. 151, 1807
v. Speer, 56 Pa. St. 325, 4, 393, 919, 920, 930, 960, 974, 1056, 1057, 1076
v. State, 26 Ohio Cir. Ct. R. 348, 1336
v. Stephenson, 139 Ind. 641, 1154, 1248, 1305, 1689f
v. Stewart, 24 Ind. App. 374, 1628a, 1689d, 1689f, 1817, 1821
v. Strong, 56 Ill. App. 604, 1730
v. Swift, 42 Ind. 119, 1200
v. Tartt, 64 Fed. R. 823, 1154, 1253, 1257
v. Tartt, 64 Fed. R. 830, 1172, 1261
v. Tate, 104 Ill. App. 615, 1238
v. Terry, 8 Ohio St. 570, 1172
v. Tyler, 9 Ind. App. 689, 1655
v. Ullom, 20 Ohio C. C. 512, 1689l
v. Urbana, &c., R. Co., 26 Ohio Cir. Ct. 180, 1096bd, 1096bp
v. Walrath, 38 Ohio St. 461, 1625
v. Wasson, 33 Ind. App. 316, 1208
v. Wisehart, 161 Ind. 208, 1057d, 1257g
v. Workman, 66 Ohio St. 509, 1250, 1252, 1257, 1303
v. Wright, 25 Ind. App. 525, 1461
v. Wynant, 100 Ind. 160, 1179e, 1264, 1309, 1628, 1697
v. Wynant, 114 Ind. 525, 1090, 1177, 1179g, 1264, 1701
v. Wynant, 134 Ind. 681, 1264, 1702
Cleveland, &c., Traction Co. v. Ward, 27 Ohio C. C. 761, 1848
Cleveland, &c., Co. v. Crawford, 9 Ry. & Corp. L. J. 171, 555
v. Texas, &c., R. Co., 27 Fed. R. 250, 79
Clews v. Woodstock, &c., Co., 44 Fed. 31, 621b

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Click v. Baltimore, &c., R. Co., 21 D. C. 363, 1076
Clifford v. Old Colony, &c., R. Co., 141 Mass. 564, 1353
Clifton v. State, 73 Ala. 473, 730, 733
Clifton Heights, &c., Co. v. Randell, 82 Iowa, 89, 409
Cline v. Crescent City, &c., R. Co., 43 La. Ann. 327, 1096cc
Clinebell v. Chicago, &c., R. Co., 110 N. W. 347, 1179f
Clinksales v. Pendleton, &c., Co., 9 S. Car. 318, 614
Clinton v. Cedar Rapids, &c., R. Co., 24 Iowa, 455, 837, 980, 1076
v. Clinton, &c., R. Co., 37 Iowa, 61, 1082
Clisby v. Mobile, &c., R. Co., 78 Miss. 937, 1225
Clonmel Traders v. Waterford, &c., R. Co., 4 Ry. & C. T. Cas. 92, 1686
Cloppin v. Greenless, &c., Co., 38 Ohio St. 275, 95
Close v. Brady, 24 N. Y. Supp. 567, 178
v. Burlington, &c., R. Co., 64 Iowa, 149, 941, 942, 945, 946
v. Glenwood Cemetery, 107 U. S. 466, 43, 323, 408, 619, 770
v. Samm, 27 Iowa, 503, 1040
v. McIntire, 120 Ind. 262, 1359
Clouse v. Canada, &c., R. Co., 4 Ont. R. 28, 213, 1141, 1146
Clow v. Brown, 134 Ind. 287, 91
Clowes v. The Frank, &c., 45 Fed. R. 494, 1317
Cloyd v. Galveston, &c., R. Co., 84 S. W. 408, 1344
Clukey v. Seattle Elec. Co., 27 Wash. 70, 1831
Clune v. Ristine, 94 Fed. 745, 1378b
Clussman v. Long Island R. Co., 9 Hun (N. Y.), 618, 1256
v. Long Island, &c., R. Co., 73 N. Y. 606, 1628
Clyde v. Hubbard, 88 Pa. St. 358, 1134, 1436
v. Richmond, &c., R. Co., 59 Fed. R. 394, 1297, 1341, 1768
v. Richmond, &c., R. Co., 55 Fed. R. 445, 508, 509, 528
v. Richmond, &c., R. Co., 57 Fed. R. 436, 691, 693, 703, 707
v. Richmond, &c., R. Co., 63 Fed. R. 21, 528, 567
v. Richmond, &c., R. Co., 65 Fed. R. 482, 1299
Clymore v. Williams, 77 Ill. 618, 624
Clyne v. Helmes, 61 N. J. L. 358, 1689a
Coal Belt Elec. R. Co. v. Young, 126 Ill. App. 651, 1801
Coal Co. v. Blatchford, 11 Wall. (U. S.) 172, 655
Coal, &c., Co. v. Clay, 51 Ohio, 542, 1296
v. Norman, 49 Ohio St. 598, 1296
v. Davis, 90 Tenn. 711, 1317, 1329
Coale v. Hannibal & St. J. R. Co., 60 Mo. 221, 1243a, 1244
Coates v. Boston, &c., R. Co., 153 Mass. 297, 1273
v. Burlington, &c., R. Co., 62 Ia. 486, 1272a
v. Campbell, 37 Minn. 498, 814
v. Chicago, &c., R. Co., 8 S. Dak. 173, 303, 1437
v. Missouri, &c., R. Co., 81 Mo. 38, 1238, 1242
v. Railton, 6 B. & C. 422, 1539
Coates v. United States Express Co., 45 Mo. 238, 1445
v. Wilkes, 92 N. C. 370, 548
Coats v. Chaplain, 3 Q. B. 483, 1692
v. Donnell, 94 N. Y. 168, 603
Coatsworth v. Lehigh Valley R. Co., 100 N. Y. S. 504, 981, 994
Cobb v. Abbot, 14 Pick. 289, 1445 1447
v. Boston, 109 Mass. 438, 985, 996, 1025
v. Boston, 112 Mass. 181, 1036
v. Columbia, &c., R. Co, 37 S. Car. 194, 1207, 1218, 1264
v. Fant, 36 S. Car. 1, 307
v. Great Western R. Co. (1894) App. Cas. 419, 1639
v. Great Western R. Co., 62 L. Q. B. 335, 1799
v. Illinois Cent. R. Co., 38 Ia. 601, 1465, 1738
v. Illinois, &c., R. Co., 68 Ill. 233, 1049
v. Iowa Cent. R. Co., 38 Iowa, 601, 303, 1433, 1691
v. Legarde, 129 Ala. 488, 172
v. McMechen, 6 Johns. 160, 1455
v. Simon, 124 Wis. 467, 1265
v. Simon, 119 Wis. 597, 1802
Cobban v. Downe, 5 Esp. 41, 1406
Cobble v. Shoffner, 75 N. Car. 42, 715
Coble v. Eltzroth, 125 Ind. 429, 1704
Coburn v. Boston, &c., Co., 10 Gray (Mass.), 243, 601, 606
v. Coxeter, 51 N. H. 158, 938
v. Ellenwood, 4 N. H. 101, 16
v. Morgan's Louisiana, &c., R. Co., 105 La. Ann. 398, 1598
v. Pacific Lumber Co., 46 Cal. 31, 1049
v. Philadelphia, &c., R. Co., 198 Pa. St. 436, 1628b
Cochran v. Missouri Pac. R. Co., 94 Mo. App. 469, 994, 998
v. Montgomery County, 199 U. S. 260, 651, 656a
v. Peoples' R. Co., 113 Mo. 359, 1058
Cock v. Taylor, 13 East, 399, 1559
Cockburn v. Union Bank, 13 La. Ann. 289, 172
Cockcroft's Appeal, 60 Conn. 161, 1053
Cocker v. Cowper, 1 C. M. & R. 418, 949
Cockerell v. Van Diemen's Land Co., 26 L. J. (C. P.) 203, 150, 153
Cockle v. London, &c., R. Co., L. R. 7 C. P. 321, 1628
Coddington v. Brooklyn, &c., R. Co., 102 N. Y. 66, 1096ck
v. Gilbert, 17 N. Y. 489, 626
v. Railroad Co., 103 U. S. 409, 529
Codman v. Evans, 5 Allen (Mass.), 308, 1096d
Codrington v. Parker, 16 Ves. 469, 549
Cody v. Central Pac. R. Co., 4 Saw. (U. S. C. C.) 114, 1596, 1599
v. Market St. R. Co., 82 Pac. 667, 1096cv
v. New York, &c., R. Co., 151 Mass. 462, 1173, 1631
Coe v. Aiken, 61 Fed. R. 24, 707, 970
v. Caledonia, &c., R. Co., 27 Minn. 197, 856, 890
v. Cincinnati, &c., Co., 10 Ohio St. 372, 72
v. Columbus, &c., R. Co., 10 Ohio St. 372, 1, 31, 37, 67, 68, 389, 488, 494, 500, 502, 508, 520, 574, 613, 958, 1049, 1096ad

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Coe v. Columbus, &c., R. R. Co., 75 Am. Dec. 518, 488
v. Del., L. & W. R. R. Co., 34 N. J. Eq. 266, 497
v. East & W. R. R. Co., 52 Fed. R. 531, 90, 110, 348, 479, 480, 513
v. Errol, 116 U. S. 517, 690, 1673
v. Johnson, 18 Ind. 218, 501
v. Louisville, &c., R. Co., 3 Fed. R. 775, 633, 936, 1551
v. McBrown, 22 Ind. 252, 498, 501
v. New Jersey Midland R. Co., 31 N. J. Eq. 105, 270, 422, 491, 494, 502, 513, 931, 935, 1072
v. New Jersey Midland R. Co., 27 N. J. Eq. 37, 528, 595
v. Peacock, 14 Ohio St. 187, 72, 514
v. Pennock, 6 Am. Law Reg. 27, 497, 498
v. Schultz, 47 Barb. 64, 664
Coeur D'Alene, &c., Co. v. Miners' Union, 51 Fed. R. 260, 633, 1688
Coey v. Belfast, &c., R. Co., Irish R. 2 C. L. 112, 310, 321
Cofer v. Echerson, 6 Iowa, 502, 540, 558
Coffee v. Louisville, &c., R. Co., 76 Miss. 569, 1651, 1637
v. New York, &c., R. Co., 155 Mass. 21, 1338, 1348, 1354
v. Pere Marquette R. Co., 139 Mich. 378, 1166a, 1179a
Coffin v. Board, 57 Fed. R. 137, 835
v. Indianapolis, 59 Fed. R. 221, 351, 831
v. New York, &c., R. Co., 64 Barb. (N. Y.) 379, 1520
v. Ransdell, 110 Ind. 417, 91, 110
v. Rich, 45 Me. 507, 147, 840
v. United States, 156 U. S. 432, 1663
Cofield v. McCabe, 58 Minn. 218, 1265
Cogan v. McCabe, 52 N. Y. S. 48, 1003b
Cogdell v. Wilmington, &c., R. Co., 124 N. Car. 302, 1519, 1521, 1590
Coggin v. Central R. Co., 62 Ga. 685, 334
Coggs v. Bernard, 2 Ld. Raym. 909, 1389, 1458, 1459
Coghill v. State, 37 Ind. 111, 730
Cogsbill v. Railway Co., 92 Ala. 252, 948
Cogswell v. Concord, &c., R. Co., 68 N. H. 192, 1376
v. Essex Mill Corp., 6 Pick. (Mass.) 94, 1048
v. New York, &c., R. Co., 103 N. Y. 10, 631, 718, 1056a, 1057, 1085, 1090
v. New York, &c., R. Co., 48 N. Y. Super. Ct. 3, 995
v. West, &c., Elec. Ry. Co., 5 Wash. 46, 1063, 1096ce, 1096cs, 1096cu, 1402, 1630, 1636
Cohen, In re, 5 Cal. 494, 565
Cohen v. Chicago, &c., R. Co., 104 Ill. App. 314, 1689d, 1792
v. Cleveland, 43 Ohio St. 190, 996, 1007, 1091
v. Dry Dock, &c., 69 N. Y. 170, 213, 1265
v. Eureka, &c., R. Co., 14 Nev. 376, 1160
v. Frost, 2 Duer (N. Y.), 335, 1654
v. Louisville, &c., R. Co., 39 Fed. R. 227, 26, 651
v. Philadelphia, &c., R. Co., 211 Pa. St. 227, 1167
Cohen v. St. Louis, &c., R. Co., 34 Kan. 158, 998, 1048
v. St. Louis, &c., R. Co., 59 Mo. App. 66, 1652
v. Southern Exp. Co., 53 Ga. 128, 1726
v. Solomon, 66 Fed. R. 411, 512
Cohen Bros. v. Missouri, &c., R. Co., 98 S. W. 437, 1535
Cohens v. Virginia, 6 Wheat. (U. S.) 264, 652
Cohn v. Neeves, 40 Wis. 393, 715
v. Platt, 48 Misc. (N. Y.) 378, 1548c
Cohoon v. Chicago, &c., R. Co., 90 Iowa, 169, 1190
Colt v. Gold Amalgamating Co., 119 U. S. 343, 89
v. North Carolina, 119 U. S. 343, 110
v. North Carolina Gold, &c., Co., 14 Fed. R. 12, 76, 91, 110
Coke v. Mohun, 164 U. S. 311, 576
Colabel v. Metropolitan St. R. Co., 74 App. Div. (N. Y.) 505, 1096ce
Colburn v. McDonald, 100 N. W. 961, 890, 903
v. Swett, 1 Metc. (Mass.) 232, 713
Colcough v. Milkaukee, 92 Wis. 182, 1091
v. Nashville, &c., R. Co., 2 Head. (Tenn.) 171, 1003, 1004, 1005, 1023, 1025, 1028
Coldwell v. Seaboard, &c., R. Co., 73 S. Car. 443, 1506
Cole v. Atlantic, &c., R. Co., 102 Ga. 474, 1638
v. Birmingham, &c., R. Co. (Ala.) 39 So. 403, 534
v. Butler, 43 Me. 401, 189
v. Cassidy, 138 Mass. 437, 279
v. Central R. Co., 103 Ill. App. 160, 1096ci
v. Chicago, &c., R. Co., 67 Wis. 272, 1697
v. Chicago, &c., R. Co., 71 Wis. 114, 1304
v. Cunningham, 133 U. S. 107, 555, 627
v. Drew, 44 Vt. 49, 1085
v. Fall Brook, &c., R. Co., 87 Hun, 584, 1699
v. Goodwin, 19 Wend. (N. Y.) 251, 1399, 1421, 1466, 1495, 1496, 1501
v. Gray, 70 Kan. 705, 1798
v. Juliet, &c., Co., 79 Ill. 96, 141, 142
v. Knickerbocker, &c., Co., 23 Hun, 255, 609
v. La Grange, 113 U. S. 1, 814
v. Lake Shore, &c., R. Co. 105 Mich. 549, 1227
v. Oil Well, &c., Co., 57 Fed. R. 534, 555
v. Philadelphia, &c., R. Co., 140 Fed. 944, 538, 543, 544, 550, 563
v. Rome, &c., R. Co., 72 Hun, 467, 1296, 1297
v. St. Louis Transit Co., 183 Mo. 81, 1301a
v. Satsop R. Co., 9 Wash. 487, 106, 114, 537, 569
v. Seattle, &c., R. Co., 42 Wash. 462, 1820

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cole v. Transit Co., 183 Mo. 81, 1096bw
v. West London, &c., R. Co., 27 Beav. 242, 924
Cole, &c., Min. Co. v. Virginia, &c., Co., 1 Sawyer, 478, 801
Colegrave v. Dias Santos, 2 B. & C. 76, 389
Colegrove v. New York, &c., R. Co., 13 N. Y. Super. Ct. (6 Duer.) 382, 1833
v. New York, &c., R. Co., 20 N. Y. 492, 1178, 1635
Coleman v. Andrews, 48 Me. 562, 1045
v. Coleman, 78 Ind. 344, 17, 190
v. Flint, &c., R. Co., 64 Mich. 160, 1197
v. Georgia, &c., R. Co., 84 Ga. 1, 1578, 1578a, 1628
v. Howe, 154 Ill. 458, 91, 110
v. Kentucky Cent. R. Co. (Ky.) 33 S. W. R. 945, 1251
v. Lambert, 5 M. & W. 502, 1559
v. New York, &c., R. Co., 98 App. Div. 349, 1179b
v. New York, &c., R. Co., 106 Mass. 160, 1593, 1638
v. Oregonian R. Co., 25 Ore. 286, 1071
v. Richer, 2 El. & Bl. 750, 303
v. Riches, 16 Com. B. 104, 1419
v. St. Paul, &c., R. Co., 38 Minn. 260, 795, 796
v. Salisbury, 52 Ga. 470, 565
v. San Rafael Turnpike Co., 49 Cal. 517, 390
v. Second Ave. R. Co., 38 N. Y. 201, 272, 1096g
v. Second Ave. R. Co., 114 N. Y. 609, 1096cz, 1633, 1636
v. Southern R. Co., 138 N. Car. 351, 1627a
v. Southwick, 9 Johns. (N. Y.) 45, 1825
v. Spencer, 5 Blackf. (Ind.) 197, 98, 177
v. Wilmington, &c., R. Co., 25 S. Car. 446, 1282, 1318
v. White, 14 Wis. 700, 182
v. Yazoo, &c., R. Co., 43 So. 473, 1638, 1645a
Coler v. Barth, 24 Colo. 31, 527a
v. Board County Com'rs Santa Fe County, 6 N. M. 88, 828, 898
v. Board, 89 Fed. 257, 918a
v. Tacoma, 64 N. J. 117, 190
v. Tacoma, &c., R. Co., 53 N. J. Eq. 680, 110
Coles v. Interurban St. R. Co., 49 Misc. (N. Y.) 246, 1840
v. Kennedy, 81 Iowa, 360, 127
v. Louisville, &c., R. Co., 41 Ill. App. 607, 1502a
v. Midland Tel., &c., Co., 67 N. J. L. 490, 1027, 1028
Colfax, &c., Co. v. Lyon, 69 Iowa, 683, 103
Colfax, &c., Fruit Co. v. Southern Pac. Co., 118 Cal. 648, 1432, 1435
Colgate v. New York, &c., R. Co., 100 N. Y. 650, 934a
v. Pennsylvania Co., 102 N. Y. 120, 1426, 1428, 1532
v. Pennsylvania Co., 31 Hun (N. Y.), 297, 1429
Colglazier v. Louisville, &c., R. Co., 22 Fed. R. 568, 649
Collier v. Union R. Co., 113 Tenn. 90, 36, 41, 919, 919a, 929, 954, 960, 1030b, 1076
Collingwood v. Berkeley, 15 C. B. N. S. 145, 13
Collins v. Alabama, &c., R. Co., 104 Ala. 390, 1527, 1527a
v. Barnes, 83 Pa. St. 15, 1061
v. Boston, &c., R. Co., 10 Cush. 506, 1649, 1652a, 1656
v. Bristol, &c., R. Co., 11 Exch. 790, 1440, 1441
v. Burlington, &c., R. Co., 83 Ia. 346, 1315e
v. Campbell, 62 Fed. R. 850, 651
v. Central Bank of Georgia, 1 Kelly (Ga.), 435, 503
v. Chicago, &c., R. Co., 14 Wis. 49, 329
v. Council Bluffs, 32 Ia. 329, 1820
v. Davidson, 19 Fed. R. 83, 1173
v. Davis, 57 Ia. 256, 751a
v. Dorchester, 6 Cush. (Mass.) 396, 1177
v. East Tennessee, &c., R. Co., 56 Tenn. 841, 1799
v. East Tenn., &c., R. Co., 9 Heisk. 841, 1155
v. Godefroy, 1 Barn. & Adol. 950, 272
v. Hammock, 59 Ala. 448, 618
v. Long Island, &c., R. Co., 10 N. Y. Supp. 701, 1168
v. New York, &c., R. Co., 5 Hun (N. Y.), 499, 1224, 1238
v. New York, &c., R. Co., 36 N. Y. S. 942, 1165
v. New York, &c., R. Co., 109 N. Y. 243, 1243, 1243a
v. Ripley Co., 8 Ia. 129, 751a
v. Rupe, 109 Ind. 340, 1029
v. Sherman, 31 Miss. 679, 32
v. South Boston R. Co., 142 Mass. 301, 1095, 1096ce, 1096cl, 1096cp, 1261
v. Toledo, &c., R. Co., 80 Mich. 390, 1641
Collins Park, &c., R. Co. v. Ware, 112 Ga. 663, 1813
Collis v. New York Cent. R. Co., 71 Hun, 504, 1154
Collman v. Collins, 2 Hall (N. Y.), 569, 1570
Colman v. Eastern Counties R. Co., 10 Beav. 1, 167, 283, 285, 372, 374, 440, 481, 615
v. Eastern, &c., R. Co., 1 Russell & M. 181, 376
v. West Virginia R. Co., 25 W. Va. 148, 283, 285, 615
Coloma v. Eaves, 92 U. S. 484, 827, 836, 865, 887, 897, 898, 901
Colomb v. Portland, &c., R. Co., 100 Me. 418, 1096cl
Colombo, The, 3 Blatchf. 521, 1420
Colonial Bank v. Cady, 63 L. T. R. 27, 79
v. Hepworth, 36 Ch. Div. 36, 97
Colonial Trust Co. v. McMillan, 188 Mo. 547, 91
Colorado Cent. R. Co. v. Allen, 13 Colo. 229, 1025, 1030a, 1035a, 1096bm
v. Smith, 5 Cal. 160, 1049
Colorado Company v. Commissioners, 95 U. S. 259, 779
Colorado Eastern R. Co. v. Union Pac. R. Co., 41 Fed. 293, 930

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Colorado Fuel, &c., Co. v. Four Mile R. Co., 29 Colo. 90, 1010, 1012, 1027, 1030a, 1040, 1053
v. Southern, &c., Co., 6 Int. Com. Com. 488, 1684h, 1684l
Colorado Midland R. Co. v. Robbins, 30 Colo. 449, 1850, 1851
Colorado, &c., Co. v. O'Brien, 16 Colo. 219, 1304, 1312, 1056
Colorado, &c., R. Co. v. Allen, 13 Colo. 229, 934, 1010, 1025, 1026, 1028, 1029
v. Boagni, 42 So. 932, 1030b
v. Brown, 15 Colo. 193, 1036, 1053
v. Caldwell, 11 Colo. 545, 1204
v. Holmes, 5 Colo. 197, 1163
v. Jones, 29 Fed. R. 193, 1010, 1010a, 1015
v. Lamb (Colo.), 40 Pac. R. 251, 1286, 1378
v. Lombard Investment Co., 66 Kan. 251, 622
v. Naylon, 17 Colo. 501, 1316, 1318a, 1327
v. Ogden, 3 Colo. 499, 1268, 1286, 1308
v. Petit (Colo.), 86 Pac. 121, 1096bt
v. Ruedi, 2 Colo. App. 202, 1025
v. Sonne, 82 Pac. 383, 1248
v. Thomas, 33 Colo. 517, 1164, 1166, 1167, 1174, 1175
v. Union Pac. Ry. Co., 41 Fed. R. 293, 41, 920, 922, 954, 970, 1116, 1119, 1121, 1577
v. Union P. R. Co. (C. C. D. Colo.) 7 R. R. & Corp. L. J. 373, 954, 960
v. Union, &c., R. Co., 44 Am. & Eng. R. Cas. 10, 4, 961
Colorado Springs, City of, v. Smith, 19 Colo. 554, 1678
Colquitt v. Howard, 11 Ga. 556, 281
Colrick v. Swinburne, 105 N. Y. 503, 1057d
Colt v. Barnes, 64 Ala. 108, 503
v. Brown, 12 Gray (Mass.), 233, 569
v. Woollaston, 2 P. Wms. 154, 13
Colter v. Frese, 45 Ind. 96, 1061
Colton v. Cleveland, &c., R. Co., 67 Pa. St. 211, 1457
v. Onderdonk, 69 Cal. 155, 1057
Collenberg, The Brig, 1 Black (U. S.), 170, 1481, 1558
Collender v. Dinsmore, 55 N. Y. 200, 1425, 1522
Collett v. London, &c., Ry. Co., 16 Q. B. 984, 1397
Collier v. Coggins, 103 Ala. 281, 1353
v. Collier, 3 Ohio St. 369, 305, 308
v. Georgia, &c., R. Co., 76 Ga. 611, 1097
v. Steinhart, 51 Cal. 116, 1768
v. Swinney, 16 Mo. 484, 1473
Columbia Ave., &c., Co. v. Dawson, 130 Fed. 152, 915
Columbia City v. Langohr, 20 Ind. App. 395, 1804
Columbia Delaware Bridge Co. v. Geisse, 35 N. J. Law, 474, 36 N. J. Law, 537, 1035a, 1039
Columbia Finance, &c., Co. v. Kentucky, &c., R. Co., 60 Fed. R. 794, 495, 497, 511, 522, 530
Columbia National Bank v. Mathews, 85 Fed. 934, 87
Columbia, &c., Bridge Co. v. Geise, 34 N. J. Law 268, 1025
Columbia, &c., R. Co. v. Farrell, 31 Ind. 408, 1628
v. Farrington, 1 Wash. 202, 1242
v. Hawthorne, 144 U. S. 202, 1349, 1697, 1702
v. Means, 136 Fed. 83, 1589
v. Prosser, 4 Wash. 816, 977
v. State, 65 Atl. 625, 1783
Columbia, &c., Co. v. Bason, 1 Harp. L. (S. Car.) 262, 1457
v. Chilberg, 6 Wash. 612, 746
v. Meier, 39 Mo. 53, 18, 161
Columbian Athletic Club v. State, 143 Ind. 98, 376, 547, 631
Columbian Bank, In re, 147 Pa. St. 422, 95
Columbian Book Co. v. DeGolyer, 115 Mass. 67, 573
Columbian Ins. Co. v. Catlett, 12 Wheat. (U. S.) 383, 1562
v. Stevens, 37 N. Y. 536, 576
Columbo, The, 3 Blatch. 521, 1420
Columbus v. Columbus Street R. Co., 45 Ohio St. 98, 1092, 1096aj, 1096am
v. Columbus, &c., R. Co., 37 Ind. 294, 931
v. Dennison, 69 Fed. R. 58, 325, 875, 897, 886
v. Strassner, 124 Ind. 482, 1819
v. Strassner, 138 Ind. 301, 1822
v. Woonsocket Trust Co., 114 Fed. 162, 891
Columbus Southern R. Co. v. Woolfolk, 94 Ga. 507, 1558
v. Wright, 151 U. S. 470, 743b
Columbus, &c., R. Co.'s Appeal, 109 Fed. 177, 500, 526, 532, 533
Columbus, &c., R. Co. v. Arnold, 31 Ind. 174, 1316, 1323
v. Board of Commissioners, 65 Ind. 427, 844
v. Braden, 110 Ind. 558, 938
v. Bradford, 86 Ala. 574, 1357, 1359
v. Bridges, 86 Ala. 448, 1357, 1801
v. Burns, 9 Ohio C. C. 276, 1315c
v. Farrell, 31 Ind. 408, 1628
v. Flournoy, 75 Ga. 745, 1517, 1520, 1730
v. Indianapolis, &c., R. Co., 5 McLean, 450, 356
v. Kennedy, 78 Ga. 646, 711, 1516
v. Ludden, 89 Ala. 612, 1464, 1527, 1528
v. Pennsylvania, &c., Co., 143 Fed. 757, 450
v. Powell, 40 Ind. 37, 210, 212, 334, 1578
v. Simpson, 5 Ohio St. 251, 987
v. Skidmore, 69 Ill. 566, 326, 333, 338
v. Tillman, 79 Ga. 607, 1450
v. Watson, 26 Ind. 50, 936, 1181
v. Williams, 41 N. E. 261, 949
v. Witherow, 82 Ala. 190, 629, 630, 1023, 1025, 1049, 1076, 1096
v. Wright, 151 U. S. 470, 757, 772, 1665
Columbus, &c., Co. v. Wright, 89 Ga. 574, 772
Colvill v. Langdon, 22 Minn. 565, 1050
Colvill v. St. Paul, &c., R. Co., 19 Minn. 283, 994, 996, 1041
Colvin, In re, 3 Md. Ch. 278, 563, 586
Colwell v. Manhattan R. Co., 57 Hun, 452, 1633
Comanche County v. Lewis, 133 U. S. 198, 20, 52, 898
Comba v. Smith, 78 Mo. 32, 577

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Combe v. London, &c., R. Co., 31 L. T. R. (N. S.) 613, 1478, 1550, 1551
Combes v. Keyes, 89 Wis. 297, 62, 608
Comeau v. Guild Farm Oil Co., 3 Daly (N. Y.), 218, 98
Comer v. Bray, 83 Ala. 217, 564, 568
v. Columbia, &c., R. Co., 52 S. Car. 36, 726a, 1553, 1748
v. Felton, 61 Fed. R. 731, 571, 572
v. Newman, 95 Ga. 434, 1241
v. State, 62 Ala. 320, 33
v. W. M. Ritter Lumber Co., 59 W. Va. 688, 1822
Comings v. Hannibal, &c., Co., 48 Mo. 512, 1181
Comly v. Pennsylvania R. Co. (Pa. St.), 12 Atl. R. 496, 1628
Commercial Bank v. Chicago, &c., R. Co., 160 Ill. 401, 1429a
v. Cunningham, 24 Pick. (Mass.) 270, 268
v. Nolan, 7 How. (Miss.) 508, 21
v. Pfeiffer, 22 Hun 327, 1426
v. Pfeiffer, 108 N. Y. 242, 1429a
v. State, 6 Smedes & M. 599, 48, 49, 52, 53
v. Ten Eyck, 48 N. Y. 308, 278
Commercial Club v. Chicago, &c., R. Co., 6 I. C. C. 647, 1686a
v. Hilliker, 20 Ind. App. 239, 1378a
v. Omaha, &c., R. Co., 7 I. C. C. 386, 1682
Commercial Fire Ins. Co. v. Board, 99 Ala. 1, 76, 251, 304, 613
Commercial National Bank v. Burch, 141 Ill. 519, 95
v. Chicago, &c., R. Co. (Ill.), 43 N. E. 756, 1427
v. Gibson, 37 Neb. 750, 178
v. Iola, 2 Dillon (U. S. C. C.), 353, 827
v. Corbett, 5 Sawy. (U. S.) 172, 558
Commission Co. v. Railroad Co., 113 Mo. App. 544, 1457a
Commissioners v. Atlantic, &c., R. R. Co., 77 N. Car. 289, 480, 488
v. Bailey, 11 Kan. 601, 853
v. Bolles, 94 U. S. 104, 484, 865, 897, 898, 903
v. Chicago, &c., R. Co., 91 Mich. 291, 1103
v. Clark, 94 U. S. 278, 897
v. Detroit, &c., R. Co., 93 Mich. 58, 1098, 1104
v. Erie, &c., R. Co., 27 Pa. St. 339, 974
v. Holyoke, &c., Co., 104 Mass. 446, 61
v. Hunt, 33 Ohio St. 169, 917
v. January, 94 U. S. 202, 897, 905
v. Longue, 129 U. S. 494, 874, 918
v. Long, 1 Pars. Eq. Cas. (Pa.) 148, 630
v. Market St. R. Co., 132 Cal. 677, 6
v. Means, 7 Ired (Law), 406, 782
v. Michigan, &c., R. Co., 90 Mich. 385, 972, 1104
v. Miller, 7 Kan. 479, 107
v. North German Lloyd, &c., Co., 92 U. S. 259, 763
v. Northern, &c., Gas. Co., 2 Jones (Pa.), 318, 1096ag
v. O'Sullivan, 17 Kan. 58, 989
v. Paola, &c., R. Co., 20 Kan. 534, 873
v. Purdy, 13 Abb. Pr. (N. Y.) 434, 713
v. Smith, 48 Kan. 331, 703
v. Smuggs, 121 N. Car. 394, 835
Commissioners v. Supervisors, 27 Ill. 140, 1054
v. Thayer, 94 U. S. 631, 484
v. Thompson, 15 Ala. 134, 1020
v. Withers, 29 Miss. 21, 976
Commissioners' Court v. Bowie, 34 Ala. 461, 970
v. Rather, 48 Ala. 433, 840, 918
Commissioners of Central Park, In re, 51 Barb. (N. Y.) 277, 1041
Commissioners of Central Park, In re, 61 Barb. (N. Y.) 40, 1045
Commissioners of Knox County v. Aspinwall, 21 How. (U. S.) 559, 486, 865, 898
Comm'rs of Railroad v. Grand Rapids, &c., R. Co., 130 Mich. 248, 689
Common Council v. Croas, 7 Ind. 9, 1085
Commonwealth v. Allegheny, &c., Co., 20 Pa. St. 185, 48
v. Allen, 148 Pa. St. 358, 1090, 1096r
v. American, &c., Co., 2 Dauph Co. R. (Pa.) 212, 741a
v. Atlantic, &c., R. Co., 55 S. E. 572, 675, 1593, 1662d, 1670a
v. Atlantic, &c., R. R. Co., 53 Pa. St. 9, 323, 326
v. Bakeman, 105 Mass. 53, 730
v. Blue Hill Turnp. Co., 5 Mass. 420, 1033
v. Boston, &c., R. Co., 8 Am. & Eng. R. Cas. 297, 716
v. Boston, &c., R. Co., 3 Cush. (Mass.) 25, 996
v. Boston, &c., R. Co., 11 Cush. 512, 716, 1372
v. Boston, &c., R. Co., 101 Mass. 201, 1157
v. Boston, &c., R. Co., 121 Mass. 36, 1359
v. Boston, &c., R. Co., 126 Mass. 61, 716
v. Boston, &c., R. Co., 129 Mass. 500, 1628
v. Boston, &c., R. Co., 133 Mass. 383, 716, 721, 1158, 1368
v. Boston, &c., R. Co., 134 Mass. 211, 716, 1368
v. Boston, &c., R. Co., 135 Mass. 550, 719
v. Boston, &c., R. Co., 142 Mass. 146, 87, 91, 95, 320
v. Breed, 4 Pick. (Mass.) 460, 52
v. Bringhurst, 103 Pa. St. 134 162
v. Brown, 91 Va. 762, 741
v. Butterworth, 160 Pa. St. 55 160
v. Carey, 12 Cush. (Mass.) 246, 732
v. Carroll, 145 Mass. 403, 326, 731
v. Central Pass. R. Co., 52 Pa. St. 506, 18, 38, 49, 53, 91, 606, 931, 1076
v. Charlottsville, &c., R. Co., 98 Va. 790, 741a
v. Chesapeake, &c., Co., 32 Md. 501, 486, 487, 527
v. Chesapeake, &c., R. Co., 77 S. W. 186, 743b
v. Chesapeake, &c., R. Co. 16 Ky. L. 481, 721, 1131
v. Chicago, &c., R. Co., 48 Fed. 177, 324
v. Commercial Bank, 28 Pa. St. 383, 644
v. Commissioners, 8 Pick. 343, 1034

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Commonwealth v. Commissioners, 37 Pa. St. 237, 906
v. Commissioners, 32 Pa. St. 218, 918
v. Connecticut River R. Co., 15 Gray (Mass.), 447, 1655
v. Councils of Pittsburgh, 88 Pa. St. 66, 918
v. Councils of Pittsburgh, 41 Pa. St. 278, 907
v. Crompton, 137 Pa. St. 138, 97
v. Cullen, 13 Pa. St. 133, 45, 164, 236, 252
v. Dalzell, 152 Pa. St. 217, 158
v. Davenger, 10 Phila. (Pa.) 478, 713
v. Delaware, &c., Canal Co., 43 Pa. St. 295, 88
v. Delaware, &c., R. Co., 215 Pa. St. 149, 1114e
v. Delaware, &c., R. Co., 64 Atl. 417, 1057j
v. Detwiller, 131 Pa. St. 614, 162, 241, 271
v. Duane, 98 Mass. 1, 662
v. East Boston, &c., Co., 13 Allen, 589, 1368
v. East Tenn. Coal Co. (Ky.), 30 S. W. R. 608, 23
v. Eastern R. Co., 103 Mass. 254, 641, 671, 694, 721, 968
v. Eastern R. Co., 5 Gray (Mass.), 473, 716, 1359, 1372
v. Emigrant, &c., Bank, 98 Mass. 12, 485
v. Equitable Assn., 137 Pa. St. 412, 1380
v. Erie, &c., R. Co., 27 Pa. St. 339, 38, 41, 340, 719, 927a, 1056, 1076, 1096s, 1108
v. Erie, &c., Transp. Co., 107 Pa. St. 112, 43
v. Essex Co., 13 Gray (Mass.), 239, 59. 1096n
v. Fayette, &c., R. R. Co., 55 Pa. St. 452, 43, 56
v. Fitchburg R. Co., 12 Gray (Mass.), 180, 4, 51, 457, 458, 638, 641, 662, 699, 931, 1056c
v. Fitchburg R. Co., 8 Cush. (Mass.) 240, 919
v. Fitchburg R. Co., 120 Mass. 372, 716
v. Fowler, 10 Mass. 290, 54
v. Frankfort, 92 Ky. 149, 1076, 1089
v. Franklin Canal Co., 21 Pa. St. 117, 49
v. Frost, 5 Mass. 53, 713
v. Germantown R. Co., 20 Pa. St. 518, 48
v. Great Barrington, 6 Mass. 492, 1041
v. Hackett, 2 Allen (Mass.), 136, 1689i
v. Hartford, &c., R. Co., 14 Gray (Mass.), 379, 1099, 1108
v. Has, 122 Mass. 40, 1668
v. Hemingway, 131 Pa. St. 614, 18, 241
v. Hicks, 7 Allen (Mass.), 573, 730
v. Housatonic, &c., R. Co., 143 Mass. 264, 658
v. Howard, 13 Mass. 221, 713
v. Illinois Cent. R. Co., 27 Ky. L. 763, 720a
Commonwealth v. Inhabitants of Williamstown, 156 Mass. 70, 835, 875, 907
v. Interstate, &c., St. R. Co., 187 Mass. 436, 1096ah
v. Jeandell, 2 Grant's Cas. (Pa.) 506, 717
v. Keary, 198 Pa. St. 500, 728, 1599
v. Lehigh, &c., R. Co. (Pa. St.), 17 Atl. R. 179, 765, 1671
v. Lehigh Valley R. Co., 165 Pa. St. 162, 690, 709
v. Louisville Bridge Co., 42 Fed. R. 241, 952
v. Louisville, &c., R. Co., 80 Ky. 291, 717
v. Louisville, &c., R. Co., 27 Ky. 497, 682a
v. Lykens Water Co., 110 Pa. St. 391, 62
v. Marshall, 69 Pa. St. 328, 862
v. McCaully, 2 Pa. Dist. R. 63, 730
v. Metropolitan, &c., R. Co., 107 Mass. 236, 716, 1096cb, 1096ce, 1363
v. Milton, 12 B. Mon. 222, 246
v. Nashua, &c., R. Co., 2 Gray (Mass.), 54, 718
v. Nashville, &c., R. Co., 93 Ky. 430, 456, 747
v. New Bedford, &c., Co., 2 Gray (Mass.), 339, 718
v. New York, &c., R. Co., 112 Mass. 412, 719
v. New York, &c., Co. (Pa.), 7 L. R. A. 634, 30
v. New York, &c., R. Co., 10 Pa. Co. Ct. R. 129, 42, 51
v. New York, &c., R. Co., 114 Pa. St. 340, 426
v. New York, &c., R. Co., 129 Pa. 463, 30, 769
v. New York, &c., R. Co., 132 Pa. St. 591, 426
v. Northeastern El. Ry. Co., 161 Pa. St. 409, 7
v. Northeastern El. Ry. Co. (Pa. Com. Pl.), 3 Pa. Dis. R. 104, 7
v. Northeastern El. R. Co., 3 Pa. Dist. 593, 1096a
v. Ohio, &c., R. Co., 1 Grant's Case (Penn.), 329, 212
v. Old Colony, &c., R. Co., 14 Gray (Mass.), 93, 926, 1056, 1090, 1096
v. Patterson, 158 Pa. St. 476, 157
v. Pennsylvania, &c., Co., 66 Pa. St. 41, 664
v. Pennsylvania R. Co., 117 Pa. St. 637, 461, 471
v. Pennsylvania, &c., R. Co., 17 Phil. (Pa.) 609, 322a
v. Perry, 155 Mass. 117, 665
v. Peters, 2 Mass. 125, 982
v. Phenix Bank, 11 Metc. (Mass.) 129, 21
v. Phenix, &c., Co., 105 Pa. St. 111, 265
v. Philadelphia, &c., R. Co., 3 Pa. Dist. R. 115, 172
v. Philadelphia, &c., Co., 164 Pa. St. 252, 746
v. Phoenix Iron Co., 105 Pa. St. 111, 172
v. Piper, 120 Mass. 185, 1700
v. Pittsburgh, 41 Pa. St. 278, 853a, 886

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Commonwealth v. Pittsburgh, 34 Pa. St. 496, 874, 918
v. Pittsburgh, &c., R. R. Co., 58 Pa. St. 26, 26, 48, 51, 57, 58, 922, 982, 983, 1013
v. Pittsburg, &c., R. Co., 74 Pa. St. 83, 313, 319, 320
v. Power, 7 Metc. 596, 199, 200, 202, 303, 1594, 1678
v. Powers, 139 Fed. 452, 655a
v. Proprietors, &c., 2 Gray, 339, 57, 69, 709, 1079, 1096n
v. Railroad Co., 24 Pa. St. 159, 630
v. Ray, 3 Gray (Mass.), 441, 734
v. Sanford, 12 Gray, 174, 1368
v. Smith, 10 Allen, 448, 67, 70, 72, 342, 480, 485, 488, 524, 613, 1096ad
v. South Pa. R. Co., 1 Co. Ct. (Pa.) 214, 95
v. Stevens (Pa.), 32 Atl. R. 111, 157
v. Susquehanna, &c., R. Co., 122 Pa. St. 306, 486, 500, 509, 514, 520, 527, 549
v. Swift Run Gap Turnpike, 2 Va. Cas. 362, 709
v. Temple, 14 Gray (Mass.), 69, 1093, 1096ch
v. Tenth Mass. Turnpike Co., 5 Cush. (Mass.) 509, 931
v. Texas, &c., R. Co., 98 Pa. St. 90, 25
v. Tuckerman, 10 Gray (Mass.), 73, 734
v. Union, &c., R. Co., 163 Pa. St. 22, 1080
v. Union, &c., Co., 192 Pa. St. 507, 319
v. Vermont, &c., R. Co., 108 Mass. 7, 1376, 1578
v. Vrooman (Pa.), 25 L. R. A. 250, 1
v. Watmouth, 6 Whart. (Pa.) 117, 98
v. Weller, 82 Va. 721, 806
v. West Chester, 9 Pa. Co. Ct. R. 542, 1080
v. West Chester R. Co., 3 Grant Cas. (Pa.) 200, 16
v. Wickersham, 66 Pa. St. 134, 161
v. Williams, 6 Gray, 1, 688
v. Wilkes Barre R. Co. (Pa.), 38 Am. & Eng. Cas. 428, 1096aa
v. Wilson, 14 Phila. 384, 662
v. Wilson, 37 Legal Intelligencer (Pa.), 484, 56 Am. & Eng. R. Cas. 230, 728
v. Winchester, 3 Pa. L. J. Rep. 34, 713
v. Worcester, 3 Pick. (Mass.) 462, 193
v. Woods, 44 Pa. St. 113, 781, 782
v. Young, 11 Phila. (Pa.) 606, 575
Commonwealth Elec. Co. v. Melville, 110 Ill. App. 242, 1096cm
Compton v. Jesup, 68 Fed. R. 263, 336, 512, 530
v. Jesup, 167 U. S. 1, 515, 530
v. Shaw, 1 Hun (N. Y.), 441, 1571
v. Susquehanna R. Co., 3 Bland Ch. 386, 1050
v. Wabash, &c., Ry. Co., 45 Ohio St. 592, 324, 335, 336
Comstock v. Buchanan, 57 Barb. (N. Y.) 127, 93
Comstock v. Des Moines, &c., Railroad Co., 32 Ill. 376, 1185, 1194
v. Union Pac. R. Co., 56 Kan. 228, 1315c
Conabear v. New York, &c., R. Co., 156 N. Y. 474, 1096
Conant v. Bellows Falls, &c., Co., 29 Vt. 263, 410
v. Griffin, 48 Ill. 410, 1359
v. Reed, 1 Ohio St. 298, 101
v. VanSchaick, 24 Barb. (N. Y.) 87, 186
Conard v. Atlantic, &c., R. Co., 1 Peters (U. S.), 386, 1426
Concord v. Concord, &c., Co., 65 N. H. 30, 1056, 1076, 1096aa
v. Portsmouth Savings Bank, 92 U. S. 625, 259, 820, 861, 863, 898
v. Robinson, 121 U. S. 165, 819, 827, 839, 843, 875, 876, 899
Concord Bank v. Bellis, 10 Cush. 276, 409
Concord R. Co. v. Greely, 23 N. H. 237, 1006, 1036, 1184
v. Greely, 17 N. H. 47, 951, 952, 953, 954, 960, 1022
Concord, &c., R. Co. v. Boston, &c., R. Co., 67 N. H. 464, 641
v. Boston, &c., R. Co., 68 N. H. 519, 1084
Concord, &c., Co. v. Forsaith, 59 N. H. 122, 1676
Condemnation of Independence Av., &c., In re, 128 Mo. 272, 1012
Condemnation of Lands, &c., In re, 93 Minn. 30, 1001
Condemnation for New State House, In re, 19 R. I. 382, 1036
Condict v. Grand Trunk, &c., R. Co., 4 Lans. 106, 1563
v. Grand Trunk R. Co., 54 N. Y. 500, 1434, 1435, 1443, 1457, 1457a, 1487, 1488
Condiff v. Kansas City, &c., R. Co., 45 Kan. 256, 1314
Condon v. Marquette, &c., R. Co., 55 Mich. 218, 1412, 1443, 1449
v. Missouri, &c., R. Co., 78 Mo. 567, 1327, 1697
Condran v. Chicago, &c., R. Co., 67 Fed. R. 522, 302, 1581, 1610, 1689h
Condy v. St. Louis, &c., R. Co., 13 Mo. App. 588, 1589
Concordia Cemetry Assn. v. Minnesota, &c., R. Co., 121 Ill. 199, 1036
Cone v. Delaware, &c., R. Co., 81 N. Y. 206, 1299, 1333b
Cone's Exrs. v. Russell, 48 N. J. Eq. 208, 162
Cone, &c., v. Poole, (S. C.) 24 L. R. A. 289, 22, 30, 616
Coney Island, &c., R. Co. v. Brooklyn Cable Co., 53 Hun, (N. Y.), 169, 451, 453
Coney Island, &c., R. Co., In re, 12 Hun, (N. Y.), 451, 919
Coney Island, &c., R. Co. v. Kennedy, 44 N. Y. S. 825, 1096i
Confiscation Cases, 7 Wall. (U. S.) 454, 713
Congdon v. Central Vermont, &c., R. Co., 56 Vt. 390, 1185
Congar v. Chicago, &c., R. Co., 24 Wis. 157, 1422, 1491, 1526, 1535
v. Galena, &c., R. Co., 17 Wis. 477, 303, 621, 1426, 1430, 1523, 1692

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Congdon v. Howe Scale Co., 66 Vt. 255, 1805
v. Marquette, &c., R. Co., 55 Mich. 218, 1449
Conger v. Burlington, &c., R. Co., 41 Iowa, 419, 949, 1048, 1049, 1050, 1055
v. Chicago, &c., R. Co., 15 Ill. 366, 1188
v. Grand Trunk, &c., 13 Ont. 160, 1373
v. Hudson River, &c., R. Co., 6 Duer (N. Y.), 375, 1484, 1546
v. St. Paul, &c., R. Co., 45 Minn. 207, 1638
Congregation, &c., v. Texas, &c., R. Co., 41 Fed. R. 564, 945
Conhocton, &c., v. Buffalo, &c., R. Co., 3 Hun (N. Y.), 523, 1057d
Conkey v. Milwaukee, &c., R. Co., 31 Wis. 619, 1421, 1441, 1452
v. Milwaukee, &c., R. Co., 27 Wis. 541, 1443
Conklin v. Furman, 8 Abb. Pr. N. S. (N. Y.) 161, 180
v. New York, &c., R. Co., 102 N. Y. 107, 1057, 1113
v. United States, &c., Co., 140 Fed. 219, 609
Conkling v. Butler, 4 Biss. (U. S.) 22, 553
v. Erie R. Co., 63 N. J. L. 338, 1163, 1165, 1166, 1171, 1179
v. Ridgely, 112 Ill. 36, 559
Conlan v. New York, &c., R. Co., 74 Hun, 115, 1248
Conley v. Mathieson Alkali Works, 190 U. S. 406, 621b
v. Portland, &c., Co., 96 Me. 281, 1361a
v. Richmond, &c., R. Co., 109 N. Car. 692, 1756
Conlin v. Charleston, &c., R. Co., 15 Rich. Law, 201, 1359
Conlon v. Eastern R. Co., 135 Mass. 195, 1063, 1263
v. Oregon, &c., R. Co., 23 Ore. 499, 1298a
Conly v. Palmer, 2 N. Y. 182, 714
Conn v. Chicago, &c., R. Co., 48 Fed. R. 177, 29, 649
Connable v. Chicago, &c., R. Co., 60 Iowa, 27, 1025, 1053
Connecticut Life Ins. Co. v. Cleveland, &c., R. Co., 41 Barb. (N. Y.) 9, 259, 485, 484
Connecticut Mut. L. Ins. Co. v. Cleveland, &c., R. Co., 26 How. Pr. N. Y. 225, 481
Connecticut River R. Co. v. Franklin Co. Com'rs, 127 Mass. 50, 1010
Connecticut, &c., Ins. Co. v. Spratley, 172 U. S. 602, 24
Connecticut, &c., R. Co. v. Bailey, 24 Vt. 465, 55, 105, 109, 112, 120, 130, 149
v. Baxter, 32 Vt. 805, 121, 124
v. Clapp, 1 Cush. 559, 1035, 1042
v. Cooper, 30 Vt. 476, 24
v. County Commissioners, 127 Mass. 50, 672
v. Erie, &c., R. Co., 73 N. Y. 399, 1233, 1234
v. Holton, 32 Vt. 43, 987
v. New York, &c., R. Co., 25 Conn. 265, 1233
Connecticut, &c., Co. v. Cushman, 108 U. S. 51, 702
Connell v. Mobile &c., R. Co., (Miss.) 7 So. R. 344, 1576, 1582
Connell v. Smiley, 156 U. S. 335, 650a
v. Western, &c., Telegraph Co., 108 Mo. 459, 1499
Connell's Exr. v. Chesapeake, &c., R. Co. (Va.) 24 S. E. R. 467, 1639, 1640
Connellsville, &c., Co. v. Baltimore, &c., R. Co., 65 Atl. 669, 948, 1049
Connelly v. Dickson, 76 Ind. 440, 538, 558
v. Hamilton, &c., R. Co., 163 Mass. 156, 1290, 1302, 1345
v. Minneapolis, &c., R. Co., 38 Minn. 80, 1332
v. Trenton, &c., R. Co., 56 N. J. L. 700, 1096bq
Conner v. Citizens St. R. Co., 108 Ind. 62, 1096cy
v. Citizens St. R. Co., 146 Ind. 430, 1831
v. Covington, &c., R. Co., 14 Ky. 135, 630
v. Hannibal, &c., R. Co., 30 Mo. 549, 1065
v. Paul, 12 Bush, 144, 1375
v. Skagit, &c., Coal Co., 45 Fed. R. 802, 653
v. Winton, 8 Ind. 315, 1389
Conners v. Burlington, &c., R. Co., 74 Iowa, 383, 1282
v. Burlington, &c., Ry. Co., 71 Iowa, 490, 1363
v. Burlington, &c., R. Co., 87 Iowa, 147, 1294
Connersville v. Snider, 31 Ind. App. 218, 1773
Connerton v. Delaware, &c., R. Co., 169 Pa. St. 339, 1166, 1171
Connery v. Quincy, &c., R. Co., 92 Minn. 20, 624, 1673
Conness v. Indiana, &c., R. Co., 193 Ill. 464, 991, 991b, 992, 1040a, 1053
Connolly v. Crescent City R. Co., 41 La. Ann. 57, 1577, 1637
v. Knickerbocker Ice Co., 114 N. Y. 104, 1096cp, 1630
v. Union Sewer Pipe Co., 184 U. S. 540, 664
v. Waltham, 156 Mass. 368, 1338
v. Warren, 106 Mass. 146, 1647, 1648
Connor v. Concord, &c., R. Co. (N. H.) 30 Atl. R. 1121, 1641
v. Giles, 76 Me. 132, 1702
v. Tennessee Cent. R. Co., 109 Fed. 931, 520, 526, 1074
v. Vicksburg, &c., R. R. Co., 1 L. R. A. 331, 22
Connors v. Holden, 152 Mass. 598, 1352
Conover v. Pacific Exp. Co., 40 Mo. App. 31, 1504, 1510
v. Ruckman, 33 N. J. Eq. 303, 626
Conrad v. Gray, 109 Ala. 130, 1284, 1309, 1689e
Conro v. Gray, 4 How. Pr. 166, 539, 547, 548, 550
v. Port Henry, &c., Co., 12 Barb. 27, 170, 206, 235, 260, 539
Conroy v. Chicago, &c., R. Co., 96 Wis. 243, 1831
v. Vulcan Iron Works, 62 Mo. 35, 1295
Conshohocken R. Co. v. Pennsylvania R. Co., 15 Pa. Co. Ct. R. 445, 1111
Consolidated Assn. v. Avegno, 28 La. Ann. 552, 484, 882

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Consolidated Channel Co. v. Central Pac. R. Co., 51 Cal. 269, 952, 954
Consolidated Coal Co. v. Scheiber, 65 Ill. App. 304, 1820
v. Shepherd, 220 Ill. 123, 1378a
v. Wombacher, 134 Ill. 57, 1316
Consolidated Nat. Bank v. Fidelity, &c., Co., 67 Fed. R. 874, 232
Consolidated Stone Co. v. Morgan, 160 Ind. 241, 1378a, 1378b
v. Summitt, 152 Ind. 297, 1311
Consolidated Tank Line Co. v. Kansas City, &c., Co., 45 Fed. R. 7, 604
Consolidated Trac. Co. v. Chenowith, 61 N. J. L. 554, 1096cb, 1096ce
v. Glynn, 59 N. J. L. 432, 1096ce
v. Haight, 59 N. J. L. 577, 1096ch
v. Laborn, 58 N. J. L. 1, 1096da
v. Lambertson, 59 N. J. L. 297, 1096br, 1817
v. Lambertson, 60 N. J. L. 457, 1816
v. Scott, 58 N. J. L. 882, 1096cp
v. South Orange, &c., Co., 56 N. J. Eq. 569, 1135, 1096bp
v. Taborn, 58 N. J. L. 1, 1602
v. Thalheimer, 59 N. J. L. 474, 1096cx
Consolidated, &c., R. Co. v. Haenni, 146 Ill. 614, 1283, 1288
Consolidated, &c., Co. v. Clay, (Ohio), 38 N. E. R. 610, 1292
v. Southern, &c., Co., 9 Int. Com. 182, 16841
Constable v. National, &c., Co., 154 U. S. 51, 1403, 1488, 1508. 1527
Consumers Gas. L. Co. v. American Plate Glass Co., 162 Ind. 393, 400, 402
Consumers', &c., Trust Co. v. Harless, 131 Ind. 446, 950, 952, 1050, 1051
Consumers', &c., Co. v. Huntsinger, 14 Ind. App. 156, 1008
v. Pryor, 44 Fla. 354, 1689c
Content v. New York, &c., R. Co., 165 Mass. 267, 1269, 1296
Continental Ins. Co. v. Chicago, &c., R. Co., 107 N. W. 548, 1228, 1244, 1245a
v. Clark, 126 Ia. 274, 1771
v. New York, &c., R. Co., 187 N. Y. 225, 449
Continental Nat. Bank v. Eliot, &c., Bk., 7 Fed. R. 369, 98
Continental Trust Co. v. Toledo, &c., R. Co., 82 Fed. 642, 322
v. Toledo, &c., R. Co., 59 Fed. R. 514, 537, 566, 567
v. Toledo, &c., Co., 86 Fed. 929, 14, 82
Continental, &c., Co. v. Ives, 30 Mich. 448, 1181
v. Stead, 95 U. S. 161, 1093, 1152, 1153, 1156, 1158, 1160, 1161, 1163, 1165, 1701
Contra Costa R. Co. v. Moss, 23 Cal. 323, 33, 41, 921, 960, 961, 974, 1026, 1027 1393, 1465, 1577
Contracting, &c., Co., v. Continental Trust Co., 108 Fed. 1, 498, 500
Contuocook Valley R. Co. v. Barker, 32 N. H. 363, 111a
Conver's Appeal, 18 Mich. 459, 926
Convers v. Grand Rapids, &c., R. Co., 18 Mich. 459, 1010
Converse v. Boston, &c., R. Co., 58 N. H. 521, 1531
v. Brainerd, 27 Conn. 607, 1455
v. Dimock, 22 Fed. R. 573, 550
v. Fort Scott, 92 U. S. 503, 841, 849
v. Hood, 149 Mass. 471, 634
v. Michigan, &c., Co., 45 Fed. R. 18, 510, 512
v. Norwich, &c., Trans. Co., 33 Conn. 166, 303, 1410, 1412, 1434, 1443, 1445
Converse Bridge Co. v. Collins, 119 Ala. 534, 1570
Convoy's Wheat, The, 3 Wall. (U. S.) 225, 2248
Conway v. Belfast, &c., R. Co., 11 Ir. R. C. L. 345, 1321
v. Belfast, &c., R. Co., Ir. Rep. 9 C. L. 498, 1317
v. Chicago, &c., Co., 103 Ia. 373, 1293
v. John, 14 Colo. 30, 98
v. Lewiston, &c., R. Co., 87 Me. 283, 1402
v. New Orleans, &c., R. Co., 46 La. Ann. 1429, 1096cy
v. New Orleans, &c., R. Co., 51 La. Ann. 146, 1096ch
v. Rochester, 157 N. Y. 33, 1096al, 1096ak, 1096al
v. Rochester, 24 App. Div. 489, 787a
v. St. Louis, 9 Mo. App. 488, 247
v. Troy, &c., R. Co., 41 Hun, 639, 1163
Conwell v. Connersville, 15 Ind. 150, 736
v. Lawrence, 46 Kan. 83, 571
v. White Water Canal Co., 4 Biss. (U. S. C. C.) 195, 552
Conwill v. Gulf, &c., R. Co., 85 Tex. 96, 1841, 1845
Conyers v. Ennis, 2 Mason, 236, 1539
Cook v. Beatrice, 32 Neb. 80, 851
v. Berlin, &c., Mill Co., 43 Wis. 433, 275
v. Boone, &c., R. Co., 122 Ia. 437, 993
v. Champlain, &c., Co., 1 Denio, 91, 1238, 1493
v. Chicago, &c., R. Co., 81 Iowa, 551, 1391, 1467, 1560, 1564, 1565, 1669
v. Chicago, &c., R. Co., 83 Ia. 278, 1040a, 1049e
v. Chicago, &c., R. Co., 110 N. W. 718, 1499, 1512
v. Citizens' Nat. Bank, 73 Ind. 256, 564, 575
v. Detroit, &c., R. Co., 45 Mich. 453, 73, 540, 548, 556
v. Detroit, &c., Ry. Co., 43 Mich. 349, 324, 526
v. Galveston, &c., Co., 5 Tex. Civ. App. 644, 750
v. Great Western R. Co., 119 Ill. 218, 1076, 1099, 1101, 1102
v. Hannibal, &c., R. Co., 63 Mo. 397, 1316
v. Houston, &c., Navigation Co., 76 Tex. 353, 1581
v. Kansas City, &c., R. Co., 57 Mo. App. 471, 1551a
v. Kuhn, 1 Neb. 472, 204

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cook v. Milwaukee, &c., R. Co., 36 Wis. 45, 471, 474, 1141, 1188, 1198, 1208, 1611
v. Missouri Pac. R. Co., 68 S. W. 230, 1689g
v. Monroe, 45 Neb. 349, 305, 306
v. North, &c., R. Co., 46 Ga. 618, 628
v. North, &c., R. Co., 50 Ga. 211, 1138
v. Pennsylvania, 97 U. S. 566, 1665
v. Pridgen, 45 Ga. 331, 949
v. St. Paul, &c., R. Co., 34 Minn. 46, 1268, 1314
v. Sherman, 20 Fed. R. 167, 274, 928
v. State, 33 N. J. Eq. 474, 746
v. Stimson Mill Co., 41 Wash. 314, 1689l, 1782
v. Sumner, &c., Manufacturing Co., 1 Sneed, 698, 827
Cook County v. Chicago, &c., 35 Ill. 460, 751
v. McCrea, 93 Ill. 236, 783
Cooke v. Baltimore Traction Co., 80 Md. 551, 1094
v. Boston, &c., 133 Mass. 185, 1092, 1096an, 1102, 1111, 1263
v. Gwyn, 3 Atk. 689, 558, 560
v. Kansas City, &c., R. Co., 57 Mo. App. 471, 1548, 1551
v. Marshall, 191 Pa. St. 315, 76, 87
v. Railroad Co., 57 Mo. App. 471, 1479
Cookson v. Pittsburgh, &c., R. Co., 179 Pa. St. 184, 1782
Cool v. Crommet, 13 Me. 250, 1001
Coolbroth v. Maine, &c., R. Co., 77 Me. 165, 1290
Cooley v. Board, 12 How. (U. S.) 299, 658, 756, 1668, 1671
v. Kansas City, &c., R. Co., 149 Mo. 487, 1239
v. Minnesota, &c., Co., 53 Minn. 327, 626, 1538, 1570
v. Wardens, 12 How. (U. S.) 299, 1358e, 1671
Coolman v. Fleming, 82 Ind. 117, 1026
Coombs v. Bristol, &c., R. Co., 3 H. & N. 510, 1692
v. Bristol, &c., R. Co., 3 H. & N. 1, 1414
v. New Bedford, &c., Co., 102 Mass. 577, 1249, 1302
Coon v. Mason County, 22 Ill. 666, 1053
v. Plymouth, &c., Co., 31 Mich. 178, 644
v. Syracuse, &c., R. Co., 5 N. Y. 492, 1332
Cooney v. Great Northern, &c., R. Co., 9 Wash. 292, 1298, 1314
v. Pullman, &c., Co., 121 Ala. 368, 1622, 1647
Coontz v. Missouri, &c., R. Co., 121 Mo. 652, 1278, 1327
Coope v. Bowles, 28 How. Pr. (N. Y.) 10, 568, 569
Cooper, In re, 22 N. Y. 67, 1015
Cooper, Ex parte, L. R. 11 Ch. D. 68, 1543
Cooper v. Anniston & A. R. Co., 85 Ala. 106, 629, 1032, 1049a, 1053
v. Berry, 21 Ga. 526, 1421, 501
v. Board, 108 Eng. C. L. R. 181, 771
v. Central Railway Co., 44 Iowa, 134, 1280
v. Chester R. Co., 19 N. J. Eq. 199, 1050
Cooper v. Corbin, 105 Ill. 224, 79, 494, 526
v. Georgia, &c., R. Co., 61 S. Car. 345, 1841
v. Georgia, &c., R. Co., 92 Ala. 329, 1450, 1535
v. Lake Erie, &c., R. Co., 136 Ind. 366, 1305, 1580
v. Lake Shore, &c., R. Co., 66 Mich. 261, 1153, 1162, 1378, 1378a
v. London, &c., R. Co., L. R. 4 Exch. Div. 88, 1594
v. New York Central, &c., R. Co., 13 N. Y. Sup. Ct. R. 276, 222
v. North Carolina R. Co., 140 N. Car. 209, 1850
v. Phillips, 4 C. & P. 581, 223
v. Pittsburgh, &c., R. Co., 24 W. Va. 37, 1323
v. Raleigh, &c., R. Co., 110 Ga. 659, 1498, 1557
v. Reynolds, 10 Wall. (U. S.) 308, 624, 1018
v. Richmond, &c., R. Co., 42 Fed. R. 697, 651
v. Roberts, 18 How. 173, 808
v. St. Paul, &c., R. Co., 54 Minn. 379, 1783
v. Shropshire, &c., R. R. Co., 13 Jur. 443, 327
v. Smith, 25 Iowa, 269, 624
v. State, 64 Md. 40, 645
v. Sullivan County, 65 Mo. 542, 852
Cooper, &c., Matter of Application of, 93 N. Y. 507, 1041, 1047
Coopers v. Wolf, 15 Ohio St. 523, 497, 499
Co-operative, &c., Ass'n v. State, 156 Ind. 463, 736a
Coosa, &c., Co., v. Barclay, 30 Ala. 120, 1457, 1584
Coosaw Mining Co. v. South Carolina, 144 U. S. 550, 38, 39, 1358e
Cope v. Cordova, 1 Rawle (Pa.), 203, 1415, 1520
Copeland v. Memphis, &c., R. Co., 3 Woods (U. S.) 651, 339
v. New England, &c., Co., 2 Metc. (Mass.) 432, 1500
v. Wabash R. Co., 175 Mo. 650, 1301a
Copp v. Henniker, 55 N. H. 176, 951
Coppage v. Hutton, 124 Ind. 401, 18, 102, 103, 109
Copper Hill, &c., Co. v. Spencer, 25 Cal. 11, 586
Coppins v. New York Cent. R. Co., 122 N. Y. 557, 1333b, 1795
Coppock v. Long Island R. Co., 34 N. Y. S. 1039, 1627
Copson v. New York, &c., R. Co., 171 Mass. 233, 1635, 1812
Coquard v. Prendergast, 35 Mo. App. 237, 186
Corbett v. Chicago, &c., R. Co., 86 Wis. 82, 1555
v. Lucas, 4 McCord, 323, 1696
v. Oregon, &c., R. Co., 25 Utah, 449, 1378a
v. Short Line R. Co., 25 Utah, 449, 1378a
v. Twenty-third St. R. Co., 42 Hun (N. Y.), 587, 1625
Corbin v. American Mills, 27 Conn. 274, 1063
v. Cedar Rapids, &c., R. Co., 66 Iowa, 73, 1033, 1053
v. Philadelphia, 195 Pa. St. 461, 1314

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Corbin v. Van Brunt, 105 U. S. 576, 650
v. Winona, &c., R. Co., 64 Minn. 185, 1301
Corby v. Chicago, &c., R. Co., 150 Mo. 457, 1076
v. Hill, 4 Com. B. (N. S.) 556, 1249, 1250
Corcoran v. Boston, &c., R. Co., 133 Mass. 507, 1701
v. Chesapeake, &c., Co., 94 U. S. 741, 512, 918
v. Chicago, &c., R. Co., 149 Ill. 291, 630
v. Concord, &c., R. Co., 56 Fed. R. 1014, 1255
v. Delaware, &c., R. Co., 126 N. Y. 673, 200, 1280
v. Delaware, &c., R. Co., 47 N. Y. St. 147, 1769
v. Doll, 35 Cal. 476, 549
v. Holbrook, 59 N. Y. 517, 1321
v. Louisville, &c., R. Co., 101 S. W. 1185, 1673, 1682, 1686
v. Milwaukee, &c., R. Co., 81 Wis. 191, 1295
v. New York R. Co., 58 App. Div. (N. Y.) 606, 1780
v. St. Louis, &c., R. Co., 105 Mo. 399, 1169
v. Snow Cattle Co., 151 Mass. 74, 226
Cordell v. New York, &c., R. Co., 70 N. Y. 119, 1154, 1157 1179
v. N. Y., &c., R. Co., 64 N. Y. 535, 1155, 1158
v. New York, &c., R. Co., 75 N. Y. 330, 1161, 1309, 1701, 1702
Cordova Coal Co. v. Long, 91 Ala. 538, 336
Cords v. Third Ave. R. Co., 4 N. Y. S. 439, 1096cb
Corey v. Long, 43 How. Pr. 492, 538
v. Morrill, 61 Vt. 598, 18
v. Probate Judge, 56 Mich. 524, 1025
v. Wadsworth, 99 Ala. 68, 604
Corfield v. Coryell, 4 Wash. C. C. 371, 1663
Corish v. North Jersey St. R. Co., 62 Atl. 1004, 1805
Cork v. Blossom, 162 Mass. 330, 1064
Cork Distilleries Co. v. Great Southern, &c., Co., L. R. 7 H. L. 269, 1519
Cork, &c., R. Co., In re, 4 Ch. App. 748, 376
Cork, &c., R. Co. v. Patterson, 37 Eng. L. & Eq. Rep. 398, 325
Corletti v. Southern Pac. R. Co., 136 Cal. 642, 1298a
Cormack v. Digby, 9 I. R. C. L. 557, 214
Cornelious v. Atchison, &c., R. Co., 87 Pac. 751, 1727
v. Ivins, 2 Dutch. (N. J. L.) 376, 942
Cornell v. Detroit Elec. R. Co., 82 Mich. 495, 1096cn
v. Skaneateles R. Co., 15 N. Y. Supp. 581, 1146, 1154
v. Utica, &c., R. R. Co., 61 How. Pr. (N. Y.) 184, 534
Corning v. Head, 33 N. Y. S. 360, 719
v. Lowerre, 6 Johns. Ch. 439, 1091
v. McCullough, 1 N. Y. 47, 189
v. Troy, &c., Factory, 40 N. Y. 191, 636
v. Troy, &c., 44 N. Y. 577, 1702
Cornish v. Toronto St. R. Co., 23 U. C. C. P. 355, 1096cz
Cornman v. Eastern, &c., R. Co., 4 H. & N. 781, 1641
Cornwall v. Louisville, &c., R. Co., 87 Ky. 72, 630, 963
v. Sullivan, &c., Co., 28 N. H. 161, 1180, 1189, 1190, 1191
Cornwall, &c., R. Co.'s Appeal, 125 Pa. St. 232, 632, 1117, 1118, 1130, 1133
Corporate Directors, In re, 7 Pa. Co. Ct. R. 178, 241
Corporation v. Winter, 1 Wheat. (U. S.) 91, 647
Corporation of Huddersfield, In re, L. R. 10 Ch. 92, 972
Corporation of Toronto v. Toronto, &c., R. Co., 15 Ont. App. R. 30, 36 Am. & Eng. Cas. 44, 1082
Corporation, &c., v Eaton, 4 Cranch C. C. 352, 712
Correll v. B., C. R. & N. R. Co., 38 Iowa, 120, 711, 1153, 1160
v. Cedar Rapids, 110 Ia. 333, 1057d
Corrigal v. London, &c., R. Co., 5 M. & G. 219, 1022, 1024
Corrister v. Kansas City, &c., Co., 25 Mo. App. 619, 217
Corrney v. Walkeine, 113 Fed. 66, 1352
Corry v. Baltimore, 196 U. S. 466, 771
v. Londonderry, &c., R. Co., 29 Beav. 263, 316
Corsair, The, 145 U. S. 335, 1378a
Corso v. New Orleans, &c., R. Co. (La.) 20 So. R. 752, 1691, 1695
v. New Orleans, &c., R. Co., 48 La. Ann. 1286, 1737
Corson v. Maryland, 120 U. S. 502, 690
Cort v. Ambergate, &c., Ry., 17 Q. B. 127, 1062
Cortland, &c., Horse R. Co., Matter of, 31 Hun (N. Y.), 72, 1096j
Cortleyeu v. Hathaway, 11 N. J. Eq. 42, 549
Corwin v. Cowan, 12 Ohio St. 629, 972
v. New York, &c., R. Co., 13 N. Y. 42, 668, 1182, 1184, 1192, 1198, 1203, 1209, 1210
Corwith v. Hyde Park, 14 Ill. App. 635, 1052
Cory v. Carter, 48 Ind. 327, 1665
v. Chicago, &c., R. Co., 100 Mo. 282, 1010, 1023, 1025, 1027, 1029, 1041
v. Great Western R. Co., L. R. 7 Q. B. D. 322, 1188
Coryell v. Hannibal, &c., R. Co., 82 Mo. 441, 1201
Cosby v. Owensboro, &c., Railway Co., 10 Bush, 288, 418, 631, 718, 1087, 1089
Cosfriff v. Miller, 10 Wyo. 190, 1803
Cosgrove v. New York, &c., R. Co., 87 N. Y. 88, 1264
v. Tebo, &c., R. Co., 54 Mo. 495, 621
Cosh Murray Co. v. Adair, 9 Wash. 686, 297
Coskery v. Nagle, 83 Ga. 696, 1651
Costello v. Grand Trunk R., 70 N. H. 403, 1143
v. New York City R. Co., 91 N. Y. S. 23, 1799, 1808
v. Seven Hundred, &c., Laths, 44 Fed. R. 105, 1572
v. Syracuse, &c., R. Co., 65 Barb. 92, 1478
v. Third Ave. R. Co., 161 N. Y. 317, 1096cq

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Coster v. New Jersey, &c., R. Co., 24 N. J. L. 730, 963, 1039, 1046
v. New Jersey, &c., Co., 23 N. J. L. 227, 972, 1022, 1027, 1044
v. Parkersburg, &c., R. Co., 131 Fed. 115, 573
v. Tide Water Co., 18 N. J. Eq. 54, 952, 964
Costigan v. Pennsylvania R. Co., 54 N. J. L. 233, 1057b
Costikyan v. Rome, &c., R. Co., 12 N. Y. Supp. 683, 1589
v. Rome, &c., R. Co., 58 Hun (N. Y.), 590, 1633
v. Rome, &c., R. Co., 35 N. Y. St. (N. Y.) 163, 1630a
Cosulich v. Standard Oil Co., 122 N. Y. 118, 1299
Cotant v. Boone, &c., R. Co., 125 Ia. 46, 1641, 1815
Cotchett v. Savannah, &c., R. Co., 84 Ga. 687, 1589, 1630, 1633
Cote v. New York, &c., R. Co., 182 Mass. 290, 1450
Cother v. Midland R. Co., 2 Phill. 469, 393
Cott v. Lewiston R. Co., 36 N. Y. 214, 332, 977, 1105
Cottage, &c., Church v. Kendall, 121 Mass. 528, 109
Cottam v. Guest, L. R. 6 Q. B. Div. 70, 1084, 1096au
Cotten v. County Comm'rs, 6 Fla. 610, 950
Cotter v. Alabama, &c., R. Co., 61 Fed. R. 747, 1702
Cotting v. Grant, &c., Ry. Co., 65 Fed. R. 545, 14
v. Kansas City, &c., Co., 183 U. S. 79, 1684a, 1684c, 1684d
v. New York, &c., R. Co., 54 Conn. 156, 83
Cotton v. County Commissioners, 6 Fla. 610, 814
v. Davies, 1 Stra. 53, 263
v. Leon County, 6 Fla. 610, 818, 821
v. Mississippi, &c., Boom Co., 22 Minn. 372, 954
v. New Providence, 47 N. J. Law, 401, 351
v. New York, &c., R. Co., 20 N. Y. Supp. 347, 1146, 1151
v. Wiscasset, &c., R. Co., 98 Me. 511, 1184
v. Wood, 8 Com. B. (N. S.) 568, 1644, 1696
Cotton Mills v. Weil, 129 N. Car. 452, 1429a
Cottrell v. Carolina, &c., R. Co., 141 N. Car. 383, 1558
v. Union Pac. R. Co., 2 Idaho, 540, 665
Cottrill v. Chicago, &c., R. Co., 47 Wis. 634, 1297, 1300, 1315a
Cotzhausen v. H. W. Johns Mfg. Co., 100 Wis. 473, 334
Couch v. Charlotte, &c., R. Co., 22 So. Car. 557, 1272, 1298
v. Steel, 3 El. & Bl. 402, 711
v. Watson Coal Co., 46 Iowa, 17, 1523
Coudy v. St. Louis, &c., R. Co., 85 Mo. 79, 1696, 1757
Coughlen v. Chicago, &c., R. Co., 36 Kan. 422, 1040
Coughlin v. Cambridge (Mass.), 44 N. E. R. 218, 1338
v. Cambridge, 166 Mass. 268, 1
v. Tow Boat Co., 151 Mass. 91, 1337
Coughtry v. Williamette St. R. Co., 21 Ore. 245, 1096cn
Coullard v. Tecumseh, &c., 151 Mass. 85, 1283
Coulter v. American Express Co., 56 N. Y. 585, 1173
v. Great Northern R. Co., 5 N. Dak. 568, 1761
v. Louisville, &c., R. Co., 196 U. S. 599, 751b, 776
v. Pine Tp., 164 Pa. St. 543, 1378
Coulthurst v. Sweet, L. R. 1 C. P. 649, 1561
Council v. St. Louis, &c., R. Co., 100 S. W. 57, 1549b
Council Bluffs v. Kansas City, &c., R. Co., 45 Iowa, 338, 689, 690, 763, 1076, 1671
Council Bluffs, &c., R. Co. v. Bentley, 62 Iowa, 446, 1027
Council Grove, &c., v. Lawrence (Kan.), 45 Pac. R. 125, 62
Counterman v. Dublin Township, 38 Ohio St. 515, 817
Countryman v. Deck, 13 Abb. (N. C.) 105, 420
v. Fonda, &c., R. Co., 166 N. Y. 201, 1378a
County Commissioners v. Dayton, 17 Minn. 260, 947
v. Farmers' Nat. Bank, 48 Md. 117, 750
v. King, 13 Fla. 451, 853, 874, 913, 918
County Court v. Baltimore, &c., Co., 35 Fed. R. 161, 251, 253, 262, 276, 604, 647, 650
v. Griswold, 58 Mo. 175, 950, 952, 983, 1013
County Judge v. Shelby R. Co., 5 Bush, 225, 846, 878
County Palatine Loan, &c., Co., In re, L. R. 9 Ch. App. 691, 279
County, &c., Loan Assn., In re, 43 N. J. E. 588, 224
County, &c., Loan and Discount Co., In re, L. R. 9 Ch. App. 691, 279
County, &c., Co., In re, L. R. 5 Ch. App. 288, 244
Coup v. Wabash, &c., R. Co., 56 Mich. 111, 1396, 1398, 1465, 1466, 1625a
Coupland v. Housatonic R. Co., 61 Conn. 531, 200a, 1421, 1478, 1480, 1510, 1546, 1548, 1549c, 1550, 1686
Courier v. Concord R. Co., 48 N. H. 321, 941
Cours v. Vermont, &c., R. Co., 25 Vt. 476, 1010
Courteen v. Kanawha Dispatch, 110 Wis. 610, 1504, 1513
Courtney v. Louisville, 12 Bush (Ky.), 419, 814
v. Pratt, 135 Fed. 818, 1371
Courtright v. Cedar Rapids, &c., R. Co., 35 Iowa, 386, 808
v. Deeds, 37 Iowa, 503, 117
v. Strickler, 37 Iowa, 382, 125, 943
Courvoisier v. Raymond, 23 Colo. 113, 1803
Cousineau v. Muskegon Traction Co., 145 Mich. 314, 1641
Cousins v. Hannibal, &c., Railway Co., 66 Mo. 572, 214, 215
Couture v. McKay, 6 Manitoba L. 273, 1540
Covell v. Heyman, 111 U. S. 176, 553
v. Hitchcock, 23 Wend. 611, 1426
v. Wabash R. Co., 82 Mo. App. 180, 1815

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Coventry v. Great Eastern R. Co., L. R. 11 Q. B. Div. 776, 303, 1492
Coverdale v. Edwards, 155 Ind. 374, 1096p
Covert v. Pittsburgh, &c., R. Co., 204 Pa. St. 341, 948, 1049
v. Rogers, 38 Mich. 363, 164, 169, 262
Covey v. Hannibal, &c., R. Co., 27 Mo. App. 170, 1295
v. Pittsburg, &c., R. R. Co., 3 Phila. (Pa.) 173, 497
Covill v. Hill, 4 Denio (N. Y.), 323, 1415
Covington v. Covington Bridge Co., 10 Bush (Ky.), 69, 27, 212
v. Rockingham, 93 N. Car. 134, 752
v. Stock Yards Co., 139 U. S. 128, 960
Covington Drawbridge Co. v. Shepherd, 21 How. (U. S.) 112, 548, 1096ad
Covington R. Co. v. Covington, &c., R. Co., 19 Am. L. Reg. (N. S.) 765, 1084, 1096au
Covington Stock Yards Co. v. Keith, 139 U. S. 128, 1546, 1551, 1551a
Covington, &c. Bridge Co. v. Mayer, 31 Ohio St. 317, 26, 28, 164, 610
v. South Covington, &c., Co., 93 Ky. 136, 8, 977
Covington, &c., R. Co. v. Bowler, 9 Bush (Ky.), 468, 169, 274, 275, 535
v. Covington, 9 Bush (Ky.), 127, 1077
v. Ingles, 15 B. Mon. (Ky.), 637, 217
v. Kenton County Court, 12 B. Mon. (Ky.) 144, 836
v. Moore, 3 Ind. 510, 111a
v. Piel, 87 Ky. 267, 986, 996
v. Keith, 139 Ill. 128, 1479, 1521, 1551
Covington, &c., Co. v. Kentucky, 154 U. S. 204, 2, 1057c, 1096ah, 1663, 1670, 1671
v. Sanford (Ky.), 20 S. W. R. 1031, 330
v. Sandford, 164 U. S. 578, 525, 1684a, 1684f
v. Sargent, 1 Cin. Super. Ct. 354, 82
Cowan v. Bond, 39 Fed. R. 54, 1467, 1686a
v. Chicago, &c., Ry. Co., 80 Wis. 284, 1306
v. Muskegon R. Co., 84 Mich. 583, 1096cc
v. Southern R. Co., 118 Ala. 554, 1048
v. Third Ave. R. Co., 56 Hun (N. Y.), 644, 1791
v. Union Pac. R. Co., 35 Fed. R. 43, 1192, 1270
Cowans v. Ft. Worth, &c., R. Co., 89 S. W. 1116, 1151, 1154
Coward v. East Tenn. R. Co., 16 Lea (Tenn.), 225, 1647
Cowden v. Pacific, &c., Co., 94 Cal. 470, 1467, 1560, 1671
v. Wright, 24 Wend. (N. Y.) 429, 1821
Cowdrey v. Caneadea, 16 Fed. R. 532, 902
v. Galveston, &c., R. Co., 93 U. S. 352, 566, 576, 577, 580, 585
v. Railroad Co., 1 Woods (U. S.), 331, 566, 567, 583, 584, 585, 1680
Cowdrey v. Vanderburgh, 101 U. S. 572, 303
Cowell v. City, &c., Co. (Ia.) 105 N. W. 1016, 533
v. Colorado Springs Co., 100 U. S. 55, 22, 398, 405, 801, 942
v. Colorado Springs Co., 3 Colo. 82, 20, 52
Cowen v. Detrich, 101 Md. 46, 1166
v. Merriman, 17 App. D. C. 186, 1850
Cowhill v. Roberts, 71 Hun, 127, 1251, 1303
Cowler v. Chicago, &c., R. Co., 102 Ia. 507, 1314
Cowles v. Guaranty Co., 32 Wash. 120, 1060a
Cowley v. Davidson, 13 Minn. 92, 1729
Cownie Glove Co. v. Transportation Co., 130 Ia. 327, 1457
Cox v. Atchison, &c., R. Co., 128 Mo. 362, 1194, 1214
v. Bruce, L. R. 18 Q. B. D. 147, 1419, 1420, 1481
v. Burns, 1 Iowa, 64, 1539
v. Central Vermont R. Co., 170 Mass. 129, 1417, 1500, 1512, 1714
v. Chicago, &c., R. Co., 102 Ia. 711, 1689f
v. Columbus, &c., R. Co., 91 Ala. 392, 1530, 1535
v. Great Western, &c., R. Co., L. R. 9 Q. B. D. 106, 1354, 1356
v. Hamilton, &c., Co., 14 Ont. Rep. 300, 1356
v. Hannibal, &c., R. Co., 174 Mo. 588, 1057f
v. London, &c., R. Co., 3 F. & F. 77, 1481
v. Los Angeles, &c., R. Co., 109 Cal. 100, 1637
v. Louisville, &c., R. Co., 48 Ind. 178, 33, 630, 1049, 1050, 1055, 1085, 1087, 1096
v. Mason City, &c., R. Co., 77 Ia. 20, 992
v. Midland, &c., R. Co., 3 Exch. 268, 222
v. Midland R. Co., 18 Law J. N. S. Exch. 65, 227
v. Minneapolis, &c., R. Co., 41 Minn. 101, 1193
v. New York, &c., R. Co., 74 N. Y. S. 1011, 1172
v. Norfolk, &c., R. Co., 126 N. Car. 103, 1794
v. Peterson, 30 Ala. 608, 1419, 1481, 1531
v. Philadelphia, &c., R. Co., 215 Pa. St. 506, 987, 994, 995, 1035a
v. Pittsburgh, &c., Ry. Co., 33 Ohio L. J. (April, 1895), 1382
v. Russell, 44 Iowa, 556, 625
v. St. Louis, &c., R. Co., 55 Ark. 455, 623
v. South Shore, &c., R. Co., 182 Mass. 497, 1689g
v. Stokes, 78 Hun, 331, 534
v. Stokes, 156 N. Y. 491, 531a
v. Terre Haute, &c., R. Co., 133 Fed. 371, 428, 463, 582
v. United States, 6 Pet. 172, 1494, 1663
v. Volkert, 86 Mo. 505, 569
v. Western Pac. R. Co., 44 Cal. 18, 1074

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Cox v. Western Pacific R. R. Co., 47 Cal. 87, 790, 1062
v. Wilmington City R. Co., 4 Pen (Del.), 162, 1689g
Coxe v. Harden, 4 East, 211, 1540
v. Lehigh, &c., Co., 3 Interst. Com. R. 460, 1678, 1678a, 1682
Coxon v. Great Western Ry. Co., 5 Hurl. & N. 274, 1441
Coy v. City Council of Lyons City, 17 Iowa, 1, 918
Coyle v. Baltimore, &c., R. Co., 11 W. Va. 94, 1209
v. Chicago, &c., R. Co., 62 Ia. 518, 1195
v. Chicago, &c., R. Co., 27 Mo. App. 584, 1547
v. Pittsburgh, &c., R. Co., 155 Ind. 429, 1301a
v. Southern R. Co., 112 Ga. 121, 689, 1603
Coyne v. Union Pac. R. Co., 133 U. S. 370, 1298a, 1317
v. Warrior Southern R. Co., 137 Ala. 553, 938b
Coyote Gold, &c., Co., v. Ruble, 8 Ore. 284, 14
Cozad v. Kanawha, &c., Co., 139 N. Car. 283, 952, 952a
Cozart v. Georgia, &c., R. R. Co., 54 Ga. 379, 481
Craddocks v. Ins. Co., 5 Phila. 249, 73
Craft v. Indiana, &c., R. Co., 166 Ill. 580, 515
v. Jackson Co., 5 Kan. 518, 751a
v. McConoughy, 79 Ill. 346, 385, 1675
v. Norfolk, &c., R. Co., 136 N. Car. 49, 1057g
v. South Boston, &c., Co., 150 Mass. 207, 292, 480
Crafter v. Metropolitan, &c., Co., L. R. 1 C. P. 300, 1584, 1641
Crafton v. Hannibal, &c., R. Co., 55 Mo. 580, 1211
Crafts v. Boston, &c., R. Co., 109 Mass. 519, 1349
Cragie v. Hadley, 99 N. Y. 131, 268
Cragin v. New York, &c., R. Co., 51 N. Y. 61, 1403, 1498, 1546, 1553, 1557
Craif v. Rochester, &c., R. Co., 39 N. Y. 404, 1088
Craig v. Childress, Peck (Tenn.), 270, 1457
v. First Presbyterian Church, 88 Pa. St. 42, 161
v. Great Western R. Co., 24 U. C. Q. B. 504, 1595, 1598
v. Hesperia, &c., Co. (Cal.) 45 Pac. R. 10, 79
v. Lewis, 110 Mass. 377, 1008
v. Rochester, &c., R. Co., 39 N. Y. 404, 1096c, 1096d
Craig Silver Co. v. Smith, 163 Mass. 262, 164
Craighead v. Brooklyn City R. Co., 123 N. Y. 391, 1096cz, 1585, 1630, 1636
v. Dalton, 105 Ind. 72, 512
Craker v. Chicago, &c., Co., 36 Wis. 657, 213, 302, 1589, 1638
Cram v. Laconia, 71 N. H. 41, 1086
v. Bangor House Proprietary, 12 Me. 354, 260, 263, 267
Cramer v. Cleveland, &c., R. Co., 5 Ohio St. 140, 1012
Cramer v. Union Pac. R. Co., 8 Utah, 504, 1697
Cranch v. London, &c., R. Co., 255, 1392
Crandall v. Lehigh, &c., R. Co., 72 Hun, 431, 1164
v. Lincoln, 52 Conn. 73, 95, 163
v. Minneapolis, &c., R. Co., 96 Minn. 434, 1589a
v. Nevada, 6 Wall. 35, 756, 760, 763, 1665
v. Taunton, 110 Mass. 421, 1054
Crane v. Bennett, 177 N. Y. 106, 1802
v. Camp, 12 Conn. 463, 675, 1023
v. Chicago, &c., R. Co., 74 Iowa, 330, 637, 640, 643
v. Chicago, &c., R. Co., 124 Ia. 81, 1301a
v. Chicago, &c., R. Co., 20 Fed. 402, 23
v. Elizabeth, 36 N. J. Eq. 339, 1000a, 1025
v. Michigan, &c., R. Co., 107 Mich. 511, 1792
v. Missouri, &c., R. Co., 87 Mo. 588, 1689c, 1766
v. Onderdonk, 67 Barb. (N. Y.) 47, 231
v. Reeder, 25 Mich. 303, 806
Crane Co. v. Guanica Centrale, 132 Fed. 713, 648, 655
Crane Elevator Co. v. Lippert, 63 Fed. R. 942, 1154
Crane, &c., Co. v. Fry, 126 Fed. 278, 324
Cranston v. Union Trust Co., 75 Mo. 29, 790, 1069, 1074
Crapo v. Kelly, 16 Wall. (U. S.) 610, 570
Crass v. Memphis, &c., R. Co., 96 Ala. 447, 1544, 1571
Crater v. Fritts, 44 N. J. Law, 374, 987
Cratty v. Peoria, &c., Assn., 219 Ill. 516, 321
Craven v. Ryder, 6 Taunt. 433, 1426
v. Smith, 89 Wis. 119, 1283, 1290, 1584
Cravens v. Eagle Cotton Mills, 120 Ind. 6, 175, 619
v. Rodgers, 101 Mo. 247, 1678
Craver v. Christian, 36 Minn. 413, 1288
Craw v. Easterly, 54 N. Y. 679, 243
Crawford v. Adams Express Co., 7 Ky. L. 362, 1718
v. Chicago, &c., R. Co., 109 Ia. 433, 1689g, 1701
v. Cincinnati, &c., R. Co., 26 Ohio St. 580, 200, 1576, 1594, 1600
v. Clark, 15 Ill. 561, 1527
v. Great Western R. Co., 18 U. C. C. P. 510, 1435, 1446
v. Houston, &c., R. Co., 89 Tex. 89, 1272, 1702
v. Longstreet, 43 N. J. L. 325, 21, 410
v. New York Central R. Co., 18 Hun (N. Y.), 108, 1195
v. Northeastern, &c., R. Co., 3 Jur. (N. S.) 1093, 86
v. Pittsburgh, &c., R. Co., 32 Pa. St. 141, 131, 873
v. Powell, 2 Burr. 1013, 243
v. Rambo, 44 Ohio St. 279, 1057f
v. Rohrer, 59 Md. 599, 146, 182
v. Ross, 39 Ga. 44, 586
v. Southern R. Assn., 51 Miss. 222, 1435

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Crawford v. Southern R. Co., 56 S. Car. 136, 1516
v. State, 15 Lea (Tenn.), 343, 730
v. State, 44 Ala. 382, 732
v. United R. Co., 101 Md. 402, 1278
v. Valley R. Co., 25 Gratt. 467, 1044
v. State, 15 Lea (Tenn.), 343, 730
v. Williams, 1 Sneed (Tenn.), 205, 1562
v. Williams, 60 Am. Dec. 146, 1562
v. Wolf, 29 Iowa, 567, 1059
Crawford County v. Pittsburgh, &c., R. Co., 32 Pa. St. 141, 873
Crawfordsville v. Barr, 45 Ind. 258, 1068
v. Bond, 86 Ind. 236, 977
Crawfordsville, &c., R. Co. v. Wright, 5 Ind. 252, 1049d
Crawfordsville, &c., Co. v. Fletcher, 104 Ind. 97, 329, 335
v. State, 102 Ind. 435, 51
Crawshay v. Eades, 1 Barn. & C. 181, 1543
v. Honfray, 4 B. & Ald. 50, 1572
v. Soutter, 6 Wall. (U. S.) 739, 534
Cream City R. Co. v. Chicago, &c., R. Co., 63 Wis. 93, 1505
Creamer v. West End St. R. Co., 156 Mass. 320, 1096bt, 1096cj, 1096cs
Crease v. Babcock, 23 Pick. (Mass.) 334, 57
v. Babcock, 10 Metc. (Mass.) 525, 182
Creavin v. Newton St. R. Co., 176 Mass. 529, 1096ci
Credit Co. v. Arkansas Cent. R. Co., 15 Fed. R. 46, 514, 546, 595
v. Arkansas Cent. R. Co., 5 McCrary (U. S.), 23, 590
v. Howe, &c., Co., 54 Conn. 357, 292
Credit Foncier, &c., v. Andrew, 9 Manitoba R. 65, 514
Creech v. Pittsburgh, &c., R. Co., 29 W. L. Bull. 112, 665
v. Railway Co., 66 S. Car. 528, 1628
Creed v. Pennsylvania, &c., R. Co., 86 Pa. St. 139, 1578, 1776, 1784
Creery v. Holly, 14 Wend. 26, 1423
Cregan v. Marston, 126 N. Y. 568, 1278a
Cregg v. Chicago, &c., R. Co., 91 Mich. 624, 1272
Cregin v. Brooklyn, &c., R. Co., 19 Hun (N. Y.), 349, 173
v. Brooklyn, &c., R. Co., 75 N. Y. 192, 1694
Crehore v. Ohio, &c., R. Co., 131 U. S. 240, 649, 653, 654, 655
Cremen v. Hawkes, 2 Jones & La. T. 674, 538
Crenshaw v. Asheville, &c., Co., 56 S. E. 945, 1851
v. Ullman, 113 Mo. 633, 1064
Crerar v. Milwaukee, &c., R. Co., 35 Wis. 67, 625
Crescent v. Pittsburgh, &c., R. Co., 210 Pa. St. 334, 972a
Crescent Canal Co. v. Montgomery, 143 Cal. 248, 1049
Crescent City, &c., R. Co., v. New Orleans, &c., R. Co., 27 La. Ann. 138, 1096u
v. Simpson, 77 Cal. 286, 411
Crescent, Township of, v. Anderson, 114 Pa. St. 643, 1174
Cressley v. Northern R., 59 N. H. 564, 1209
Cresson v. Philadelphia, &c., R. Co., 11 Phila. (Pa.) 597, 200, 1501, 1594, 1661
Crew v. St. Louis, &c., R. Co., 20 Fed. R. 87, 1280, 1697
Crewe v. Edleston, 1 DeG. & J. 93, 549
Crews v. Richmond, &c., R. Co., 1 Int. Com. 703, 1682
Crichton v. Webb Press Co., 113 La. Ann. 167, 314
Cridland v. DeMauley, 1 De Gex & S. 459, 13
Crim v. Town of Philippi, 38 W. Va. 122, 751
Crine v. East Tennessee, &c., R. Co., 84 Ga. 651, 1582, 1629
Crise v. Auditor, 17 Ark. 572, 1028
Crispin v. Babbitt, 81 N. Y. 516, 1316, 1319
Criss v. Seattle Elec. Co., 38 Wash. 320, 1096br
Crissey, &c., Co. v. Denver, &c., R. Co., 17 Colo. App. 275, 1243a
Crisswell v. Montana, &c., R. Co. (Mont.) 42 Pac. R. 767, 1272
Crist v. Erie, &c., R. Co., 58 N. Y. 638, 1224, 1243
Criswell v. Pittsburgh, &c., R. Co., 30 W. Va. 798, 1276, 1319
Croaker v. Chicago, &c., R. Co., 36 Wis. 657, 1802
Crocker v. McGregor, 76 Me. 282, 1243, 1264
v. New London, &c., R. Co., 24 Conn. 249, 199, 1265, 1603
v. Old Colony R. Co., 137 Mass. 417, 92
v. United States, 21 Ct. Cl. 255, 1060
Crocker Nat. Bank v. Pagenstecher, 44 Fed. R. 705, 646
Croco v. Oregon Short Line R. Co., 18 Utah, 311, 1696, 1773
Croft v. Baltimore, &c., Railroad, 1 McArthur, 492, 1445, 1596
v. Chicago, &c., R. Co., 108 N. W. 1053, 1305
v. London & N. W. R. Co., 3 B. & S. 436, 937
v. London, &c., R. Co., 113 Eng. C. L. (3 B. & S.) 435, 996
Crofts v. Waterhouse, 11 Moore, 133, 1583, 1589
Crogan v. New York, &c., R. Co., 18 Alb. L. J. 70, 1587
Croll v. Atchison, &c., R. Co., 57 Kan. 548, 1298a
Crolley v. Minneapolis, &c., R. Co., 30 Minn. 541, 931, 1033
Crolly v. Union R. Co., 92 N. Y. S. 313, 1831
Crommelin v. New York, &c., R. Co., 4 Keyes (N. Y.), 90, 1567
Cromwell v. Sac, 94 U. S. 351, 486, 673, 882
v. Sac, 96 U. S. 51, 484, 486, 896, 900, 913
Crone v. New York, &c., R. Co., 48 N. Y. St. 409, 11791
Cronin v. American Linen Co., 147 Fed. 755, 1492
v. Foster, 13 R. I. 196, 624
Cronk v. Chicago, &c., R. Co., 3 S. Dak. 93, 1242
v. Wabash, &c., R. Co., 123 Ia. 349, 1634, 1831, 1843
Cronkite v. Wells, 32 N. Y. 247, 1406, 1407, 1411

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Croom v. Chicago, &c., R. Co., 52 Minn. 296, 1577, 1645a
Crooms v. Schad, 40 So. 497, 1577a
Crosbie v. Chicago, &c., R. Co., 62 Iowa, 189, 940
Crosby v. Detroit, &c., R. Co., 58 Mich. 458, 1185
v. Dracut, 109 Mass. 206, 1049
v. Fitch, 12 Conn. 410, 1440, 1455, 1457, 1457a, 1481, 1483
v. Hanover, 36 N. H. 404, 964, 967
v. Morristown, &c., R. Co. (Tenn.) 42 S. W. 507, 500
v. New York, &c., R. Co., 88 Hun, 196, 1160
v. New London, &c., R. Co., 26 Conn. 121, 486
v. Stratton, 17 Colo. App. 212, 87
Cross v. Allen, 141 U. S. 528, 529, 768
v. California, &c., R. Co., 102 Cal. 313, 1095
v. De Valle, 1 Wall. 1, 397
v. Kansas City, &c., R. Co., 56 Mo. App. 664, 1823
v. Lake Shore, &c., R. Co., 69 Mich. 363, 1112
v. McFaden, 1 Tex. Civ. App. 461, 1466
v. Memphis, &c., R. Co., 96 Ala. 447, 1543a
v. O'Donnell, 44 N. Y. 661, 1426
v. Peach Bottom Ry. Co., 90 Pa. St. 392, 45, 56, 325
v. Phenix Bank, 1 R. I. 39, 99, 101
v. Pickneyville, &c., Co., 17 Ill. 54, 102
v. Sackett, 6 Abb. Pr. R. 247, 282
v. St. Louis, &c., R. Co., 77 Mo. 312, 1087
v. U. S., 1 Gall (U. S.), 26, 714
v. West Va., &c., Ry., 35 W. Va. 174, 160, 242
v. Wilkins, 43 N. H. 332, 1828
Crossan v. New England R. Co., 149 Mass. 196, 221a
v. New York, &c., R. Co., 149 Mass. 196, 1451, 1569, 1570
Crossley v. O'Brien, 24 Ind. 325, 966, 967
Crossman v. Dodd, 63 Hun (N. Y.), 324, 1723
v. Penrose Ferry Bridge Co., 26 Pa. St. 69, 127
Crouch v. Great Northern, &c., R. Co., 11 Exch. 742, 1468, 1563, 1691, 1729
v. Great Western Railway, 2 Hurl. & N. 491, 1435
v Great Western, &c., R. Co., 27 L. J. Exch. 345, 1464
v. Great Western, &c., R. Co., 26 L. J. Exch. 418, 1537
v. London & N. W. R. Co., 25 Eng. L. & Eq. 287, 1466
v. London, &c., R. Co., 23 L. J. C. P. 73, 1468
v. London, &c., R. Co., 2 C. & K. 789, 1564
v. London, &c., R. Co., 14 Com. B. 255, 1393
v. Louisville, &c., R. Co., 42 Mo. App. 248, 1433, 1437
Crouse v. Chicago, &c., R. Co., 104 Wis. 473, 1799
v. Chicago, &c., R. Co., 102 Wis. 196, 1697, 1807, 1820
Crow v. Chicago, &c., R. Co., 57 Mo. App. 135, 1546
Crow v. Oxford, 119 U. S. 215, 885, 896, 905, 908
v. Wabash R. Co., 23 Mo. App. 357, 1849
v. Wood, 13 Beav. 271, 562
Crowder v. Moone, 52 Ala. 220, 540, 556, 560
v. Sullivan, 128 Ind. 486, 190
Crowe v. Michigan Cent. R. Co., 106 N. W. 395, 1096cu
v. Railroad Co., 142 Mich. 692, 1628b, 1641
Crowell v. Gilmore, 18 Cal. 370, 1072
v. Jackson, 53 N. J. 656, 93, 291
v. Londonderry, 63 N. H. 42, 1017
v. New Orleans, &c., R. Co., 61 Miss. 631, 934, 996
Crowley v. Burlington, &c., R. Co., 65 Iowa, 658, 668, 1082
v. Chicago, &c., R. Co., 122 Wis. 287, 719
v. Cohen, 3 Barn. & Adol. 478, 1509
v. Cutting, 165 Mass. 436, 1352
v. Fitchburg, &c., St. R. Co., 185 Mass. 279, 1096db
v. Gallatin Co., 14 Mont. 292, 1017
v. Genesee, &c., Co., 55 Cal. 273, 204, 285
v. Louisville, &c., R. Co., 7 Ky. L. 743, 1719, 1727
v. Railroad Co., 65 Ia. 658, 1096ag
Crown v. Orr, 140 N. Y. 450, 1283, 1297, 1304
Crown Cotton Mills v. McNalley, 123 Ga. 35, 1283
Croy v. Louisville, &c., R. Co., 97 Ind. 126, 1207
Crozier v. Boston, &c., Co., 43 How. Pr. 466, 1622
Crude Oil Co. v. Grable, 94 Fed. 73, 1295
Cruger v. Hudson River R. Co., 12 N. Y. 190, 1014, 1020, 1047
Crum v. Yundt, 12 Ind. App. 308, 1438
Crumlish v. Shenandoah Valley Railroad Co., 28 W. Va. 623, 620
v. Shenandoah Valley R. Co., 40 W. Va. 627, 78, 157, 584, 585
v. Wilmington, &c., R. Co., 5 Del. Ch. 270, 1059
Crump v. U. S. Mining Co., 7 Gratt. (Va.) 352, 127, 128, 283
Crumpley v. Hannibal, &c., R. Co., 111 Mo. 152, 1163
Crusselle v. Pugh, 67 Ga. 430, 1316
Crutchen v. Railroad Co., 74 Ark. 358, 1731
Crutcher v. Choctaw, &c., R. Co., 74 Ark. 358, 1731, 1798
v. Commonwealth, 141 U. S. 47, 30, 759, 762, 769, 1668, 1671
Crutchfield v. Richmond Railway Co., 78 N. Car. 300, 1296
Crymble v. Mulvaney (Colo.), 40 Pac. R. 499, 169
Cuba, The, 3 Ware, 260, 1561
Cuban, &c., Co. v. Fitzpatrick, 66 Fed. R. 63, 667, 689, 1664
Cubit v. O'Dett, 51 Mich. 347, 977
Cuddy v. Horn, 46 Mich. 596, 1178, 1635
Cuff v. Newark, &c., R. Co., 35 N. J. Law, 17, 1061, 1063, 1064, 1799
v. Ninety-five Tons of Coal, 46 Fed. R. 670, 1572
Culbertown v. Metropolitan St. R. Co., 140 Mo. 35, 1096ce
Culbertson v. Crescent City R. Co., 48 La. Ann. 1376, 1096cl
v. Fulton, 127 Ill. 30, 891

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Culbertson v. Metropolitan St. R. Co., 140 Mo. 35, 1096ce
Culbertson, &c., Co. v. Chicago, 111 Ill. 651, 1039
Culbreth v. Philadelphia, &c., R. Co., 3 Houst. (Del.) 392, 1454, 1570
Culhane v. New York, &c., R. Co., 60 N. Y. 133, 1168, 1702
Cullar v. Missouri, &c., R. Co., 84 Mo. App. 347, 1841
Cullen v. Higgins, 216 Ill. 78, 1819
v. New York, &c., R. Co., 66 Conn. 211, 1085
v. Norton, 126 N. Y. 1, 1318
Cully v. Northern Pac. R. Co., 35 Wash. 241, 1276, 1689l
Culp v. Atchison, &c., R. Co., 17 Kan. 475, 1264
Culver v. Alabama, &c., R. Co. (Ala.) 18 So. R. 827, 1351
v. Marks, 122 Ind. 554, 1689l
v. South Haven, &c., R. Co., 138 Mich. 443, 1268
Culver Lumber Co. v. Culver (Ark.), 99 S. W. 391, 550
Cumberland R. Co. v. Pine Mountain R. Co., 96 S. W. 199, 921
Cumberland Tel. Co. v. Evansville, 127 Fed. 187, 70, 72, 370, 519
v. Morgan R. Co., 51 La. Ann. 29, 1690
v. United Electric Ry. Co., 93 Tenn. 492, 8, 976, 977, 1096c
v. United Electric R. Co., 42 Fed. R. 273, 977
Cumberland Valley R. Co.'s Appeal, 62 Pa. St. 218, 372, 1391, 1564
Cumberland Valley R. Co. v. Baab, 9 Watts (Pa.), 458, 121, 941
v. Gettysburg, &c., R. Co., 177 Pa. St. 519, 367
v. McLanahan, 59 Pa. St. 23, 393, 415, 949, 960, 1004, 1048
Cumberland, &c., Corp. v. Hitchings, 57 Me. 146, 715
Cumberland, &c., R. Co. v. Barren County, &c., 10 Bush (Ky.), 604, 832, 861, 874
v. Judge, 10 Bush, 564, 861, 863, 874
v. Myers, 55 Pa. St. 288, 1592
v. Pennsylvania R. Co., 57 Md. 267, 1053
v. Scally, 27 Md. 589, 1329
v. State, 44 Md. 283, 1280, 1288, 1321
v. Thompson, 102 Md. 193, 1096bt, 1689f
Cumberland, &c., Tel. Co. v. Texas, &c., R. Co., 52 La. Ann. 1850, 1690
Cumberland, &c., Co. v. Parish, 42 Md. 598, 275
v. Portland, 37 Me. 444, 741, 744
v. Portland, 56 Me. 77, 709
v. Poston, 94 Tenn. 696, 1803
v. Shaw, 102 Tenn. 313, 1803
v. Sherman, 30 Barb. 553, 275, 440, 535
Cuming v. Brooklyn City R. Co., 104 N. Y. 669, 1262
v. Brooklyn R. Co., 109 N. Y. 95, 1820, 1822
Cumins v. Lawrence County, 2 So. Dak. 452, 890
Cumming v. Prescott, 2 Younge & C. Exch. 488, 241
v. The Barracouta, 40 Fed. R. 498, 1516
Cummings v. Fearey, 44 Mich. 39, 625
Cummings v. Merchants' National Bank, 101 U. S. 158, 702, 740, 751, 751b
v. National, &c., Co., 60 Wis. 603, 1290
v. Pittsburgh, &c., R. Co., 92 Pa. St. 82, 1344
v. Worcester, &c., R. Co., 166 Mass. 220, 1096cz
Cummins v. Dayton, &c., R. Co., 5 Lea, 401, 1435
v. Dayton, &c., R. Co., 9 Am. & Eng. R. Cas. 36, 303, 364
v. Des Moines, &c., R. Co., 63 Iowa, 397, 972, 992, 995
v. Evansville, &c., R. Co., 115 Ind. 417, 637, 639, 719, 1092, 1106
Cumpston v. Texas, &c., R. Co. (Tex. Civ. App.), 33 S. W. R. 737, 1282
Cunard S. S. Co. v. Kelley, 115 Fed. 678, 1413, 1419
Cunningham's Appeal, 108 Pa. St. 546, 87, 320
Cunningham v. Alabama, &c., Co., 4 Ala. 652, 99, 100
v. Ashley, 14 How. 377, 809
v. Board of Railroad Commissioners, 158 Mass. 104, 694, 704
v. Campbell, 33 Ga. 625, 983, 1015
v. Dry Dock, &c., R. Co., 31 Misc. (N. Y.) 471, 1841
v. Edgefield, &c., R. Co., 2 Head (Tenn.), 23, 126, 127, 128, 131, 132
v. Evansville, &c., R. Co., 102 Ind. 478, 1234
v. Fairhaven, &c., R. Co., 72 Conn. 244, 1788, 1790
v. Grand Trunk Railroad, 31 U. C. Q. B. 350, 214, 1256
v. International Railroad Co., 51 Tex. 503, 1063
v. Los Angeles R. Co., 115 Cal. 561, 1096cd
v. Macon, &c., R. R. Co., 156 U. S. 400, 503
v. Macon, &c., R. Co., 109 U. S. 446, 689, 700
v. Merrimac, &c., Co., 163 Mass. 89, 1288, 1296
v. Pacific R. Co., 61 Mo. 33, 1027
v. Seattle, &c., Co., 3 Wash. 471, 1265
v. Thief River Falls, 84 Minn. 21, 1105, 1112
v. Union Pac. R. Co., 4 Utah, 206, 1699
v. Vermont, &c., R. Co., 12 Gray (Mass.), 411, 316
Cupp v. Commissioners, 19 Ohio St. 173, 1019, 1020
Cureton v. South Bound R. Co., 59 S. Car. 371, 1003b
Curlen v. Santini, 16 La. Ann. 27, 608
Curl v. Chicago, &c., R. Co., 63 Iowa, 417, 1637, 1801
Curley v. Missouri, &c., R. Co., 98 Mo. 13, 1260
Curling v. Marquis Townsend, 19 Ves. 628, 548
Curnan v. Delaware, &c., R. Co., 138 N. Y. 480, 1062
Curran v. Arkansas, 15 How. (U. S.) 304, 107, 165, 613
v. Shattuck, 24 Cal. 427, 1001

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Currell v. Hannibal, &c., R. Co., 97 Mo. App. 93, 1706
Current v. Luttaer, 164 Ind. 252, 823b
v. Missouri Pac. R. Co., 86 Mo. 62, 1697
Currie's Case, 3 De G., J. & S. 367, 91
Currie v. Atlantic City, 66 N. J. L. 140, 1096j
v. Bowman, 25 Ore. 364, 289
v. Mutual, &c., Co., 4 Hen. & M. (Va.) 315, 248
v. Natchez, &c., R. Co., 61 Miss. 725, 362, 947, 949, 1055
v. New York Transit Co., 66 N. J. Eq. 313, 972
v. Waverly, &c., R. Co., 52 N. J. L. 381, 994, 1036
v. White, 45 N. Y. 822, 306
Currier v. Concord, &c., R. Co., 48 N. H. 321, 322, 362, 365, 367, 386
v. Lebanon, &c., Co., 56 N. H. 262, 87, 95
v. Marietta, &c., R. Co., 11 Ohio St. 228, 394, 923, 955, 970, 972
v. N. Y., &c., R. Co., 35 Hun (N. Y.), 355, 165
Curry v. Chicago, &c., R. Co., 43 Wis. 665, 461, 471, 1190, 1209, 1315
v. Jones, 4 Del. Ch. 559, 1014
v. Scott, 54 Pa. St. 270, 87, 320
v. Union Elec. R. Co., 86 Hun (N. Y.), 559, 1096cl
v. Woodward, 44 Ala. 305, 174, 182, 305, 309
Curry Hotel Co. v. Mullins, 93 Mich. 318, 111a
Curtin v. Nittany Valley R. Co., 135 Pa. St. 20, 1036, 1037
v. Salmon, &c., Co., 130 Cal. 345, 493
Curtis v. Avon, &c., R. Co., 49 Barb. (N. Y.) 148, 1659
v. Bradford, 33 Wis. 190, 624
v. Butler County, 24 How. (U. S.) 435, 836
v. Central, &c., R. Co., 6 McLean, 401, 1589
v. Chicago, &c., 62 Iowa, 418, 1144
v. Chicago, &c., R. Co., 95 Wis. 460, 1272a
v. Cleveland, &c., R. Co., 140 Fed. 777, 468, 656a, 1114c
v. Delaware, &c., R. Co., 74 N. Y. 116, 1494, 1622, 1647, 1650, 1652, 1656, 1660
v. Detroit, &c., R. Co., 27 Wis. 158, 1628
v. Eastern R. Co., 14 Allen (Mass.), 55, 976
v. Jackson, 23 Minn. 268, 1053
v. Leavitt, 15 N. Y. 9, 415
v. McIlhenny, 5 Jones Eq. (N. C.) 290, 568
v. Piedmont, &c., Co., 109 N. C. 401, 410
v. Rochester, &c., R. Co., 20 Barb. (N. Y.), 282, 1800, 1815
v. Rochester, &c., R. Co., 18 N. Y. 534, 1584, 1636, 1644, 1696, 1799, 1800
v. St. Paul, &c., R. Co., 20 Minn. 28, 960, 1033, 1037, 1038
v. St. Paul, &c., R. Co., 21 Minn. 497, 1046a
v. Sioux City, &c., R. Co., 87 Ia. 622, 1823
v. Whipple, 24 Wis. 350, 814
Curtner v. United States, 149 U. S. 662, 803
Cushing v. Gay, 23 Me. 9, 1042
Cushman v. Amador, &c., Co., 118 U. S. 58, 647
v. Bonfield, 139 Ill. 219, 531a
v. Smith, 34 Me. 247, 976, 1050, 1055
v. Thayer, &c., Co., 76 N. Y. 365, 92, 98
Custar v. Titusville, &c., Co., 63 Pa. St. 381, 128, 130
v. Railroad Co., 206 Pa. 529, 1160
Cutler v. Railway, 19 Q. B. Div. 64, 1652a
Cutright v. Stanford, 84 Ill. 240, 179
Cutting v. Damerel, 88 N. Y. 410, 97, 98, 184, 569
v. Florida, &c., Co., 46 Fed. R. 641, 689, 1671
v. Grand Trunk R. Co., 13 Allen (Mass.), 381, 1708, 1730, 1799
v. Tavares, &c., R. Co., 61 Fed. R. 150, 521, 527, 528, 590
Cuttingham v. Weeks, 54 Ga. 275, 1359
Cutts v. Brainerd, 42 Vt. 566, 1435, 1436
Cuyler v. Decker, 20 Hun (N. Y.), 173, 1642
v. Rochester, 12 Wend. (N. Y.) 165, 969
Cyle v. Denver, &c., R. Co., 86 Pac. 1010, 1225
Cyper v. Huntingden, &c., Co., 149 Pa. St. 359, 1298a
Cypress Shingle Co. v. Lorio, 46 La. Ann. 441, 73
Czech v. Great Northern R. Co., 68 Minn. 38, 1151a
Czezewzka v. Benton-Belfontaine R. Co., 121 Mo. 201, 1096cq

D

D'Agostino v. Pennsylvania R. Co., 60 Atl. 1113, 1316
D'Anjou v. Deagle, 3 Harris & J. 206, 1406
D'Arc v. London, &c., R. Co., L. R. 9 C. P. 325, 1505
D'Arcy v. Tamar, &c., Co., 4 Hurls. & Colt. 463, 256
Da Ponte v. New Orleans, &c., Co., 42 La. Ann. 696, 1399
Dabney v. Stevens, 10 Abb. Pr. (N. S.) 39, 283
Dacey v. Old Colony, &c., R. Co., 153 Mass. 112, 1354, 1374
Dacres v. Oregon, &c., Navigation Co., 1 Wash. St. 525, 1183
Daggs v. Orient, &c., Co., 136 Mo. 391, 21
Dahl v. Milwaukee City R. Co., 65 Wis. 371, 1096ce
v. Milwaukee, &c., Co., 62 Wis. 652, 1096cp
Dahlberg v. Minneapolis St. R. Co., 32 Minn. 404, 1096bt, 1096cp, 1633
Dahlstrom v. St. Louis, &c., R. Co., 108 Mo. 525, 1155
Daigle v. Lawrence Manufacturing Co., 159 Mass. 378, 1345
Daigneau v. Grand Trunk R. Co., 153 Fed. 593, 1800
Daily v. Burlington, &c., R. Co., 58 Neb. 396, 1314
v. Chicago, &c., R. Co., 121 Ia. 254, 1194, 1214
v. Preferred Masonic, &c., Assn., 102 Mich. 289, 1689h

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Daily v. Richmond, &c., R. Co., 106 N. Car. 301, 1179l
v. Rome, &c., R. Co., 139 N. Y. 302, 1296
Dairy v. Iowa Cent. R. Co., 113 Ia. 716, 976
Dakin v. London, &c., R. Co., 26 L. J. R. (Ch.) 462, 924
v. Oxley, 15 Com. B. (N. S.) 646, 1558
Daland v. Williams, 101 Mass. 571, 307
Dale v. Blue Mountain, &c., Co., 15 Pa. Co. Ct. 513, 622
v. Delaware, &c., R. Co., 73 N. Y. 468, 1177, 1633
v. Evans, 14 Ind. 288, 1494
v. Grant, 34 L. J. 142, 167
v. Hall, 1 Wils. 281, 1409
v. Hayes, 40 L. J. Chan. 244, 307
v. Kent, 58 Ind. 584, 560
Daley v. Boston, &c., R. Co., 147 Mass. 101, 716
v. Norwich, &c., R. Co., 26 Conn. 591, 1250, 1262
v. Railroad Co., 21 N. Y. S. 1011, 1628a
v. St. Paul, 7 Minn. 390, 1030
Dallas v. Atlantic, &c., R. Co., 2 McArthur (D. C.) 146, 621
v. Meyers, 55 S. W. 742, 1804
Dallas Consol. Elec. R. Co. v. Ison, 83 S. W. 408, 1096cv, 1772
v. McAllister, 90 S. W. 933, 1833
v. Maddox (Tex. Civ. App.), 31 S. W. 702, 526
Dallas Co. v. Huidekoper, 154 U. S. 654, 323, 898
Dallas County v. McKenzie, 110 U. S. 686, 883
Dallas Rapid Transit Co. v. Elliott, 7 Tex. Civ. App. 216, 1096br, 1096ce
v. Dunlap, 7 Tex. Civ. App. 471, 1096ce
Dallas, &c., R. Co. v. Able, 72 Tex. 150, 1105, 1112
v. Chenault, 4 Tex. App. Civ. Cases, 171, 1037
v. Hardy, 86 S. W. 1053, 1808
v. Langston, 98 S. W. 423, 1629
v. McAllister, 90 S. W. 933, 1820
v. Maddox (Tex. Civ. App.), 31 S. W. R. 702, 1611
v. Spicker, 61 Tex. 427, 1368
Dallas, &c., Co. v. Wasco, &c., Co., 3 Ore. 527, 1070
Dalton v. Chicago, &c., R. Co., 114 Ia. 257, 1850
v. Cleveland, &c., R. Co., 144 Ind. 121, 631
v. Louisville R. Co., 22 Ky. L. 97, 1756
v. Midland Counties R. Co., 13 C. B. 474, 310
v. St. Louis, &c., R. Co., 113 Mo. App. 71, 1071
v. Southeastern R. Co., 4 C. B. (N. S.) 296, 1375
Dalton, &c., R. Co. v. McDaniel, 56 Ga. 191, 146
Daly v. Chicago Co., 48 Minn. 319, 1242, 1245a
v. Detroit, &c., R. Co., 105 Mich. 193, 1095
v. Georgia, &c., R. Co., 80 Ga. 793, 1076, 1077
v. New Jersey, &c., Co., 155 Mass. 1, 1368
Dalzell v. Steamboat Saxon, 10 La. Ann. 280, 1457a
Dameron v. Eskridge, 104 N. Car. 621, 514
Damon v. Deeves, 62 Mich. 465, 527a
Damp v. Dane, 29 Wis. 419, 1047
Damrell v. Board of Supervisors, 40 Cal. 154, 1041
Damson's Appeal, 119 Pa. St. 287, 924
Dan, The, 40 Fed. R. 691, 1397
Dana v. Bank of U. S., 5 Watts & S. 223, 235, 253, 258
v. New York, &c., R. Co., 23 Hun, 473, 1328
v. New York, &c., R. Co., 50 How. Pr. (N. Y.), 428, 1432
v. New York, &c., R. Co., 92 N. Y. 639, 1322
Danbury, &c., R. Co. v. Wilson, 22 Conn. 435, 18, 52, 102, 116, 122, 134, 140, 141, 142, 150
Dane v. Young, 61 Me. 160, 92, 178
Danforth v. Coleman, 23 Wis. 528, 517
v. Philadelphia, &c., R. Co., 30 N. J. E. 12, 642
Dangerfield v. Atchison, &c., R. Co., 62 Kan. 85, 1599a
Daniel v. Atlantic Coast Line R. Co., 136 N. C. 517, 214, 1265
v. Chesapeake, &c., R. Co., 36 W. Va. 397, 1318, 1327a
v. Metropolitan R. Co., L. R. 3 C. P. 216, 1644
v. Metropolitan, &c., R. Co., L. R. 5 H. L. 45, 1163
v. New Jersey St. R. Co., 64 N. J. L. 603, 1577
v. Petersburg R. Co., 117 N. Car. 592, 1265, 1638
Daniel Ball, The, 10 Wall. 557, 690, 764, 1663, 1673
Daniell's Case, 22 Beav. 43, 95
Daniell, Ex parte, 1 De G & J. 372, 110
Daniels v. Ballentine, 23 Ohio St. 532, 1457a, 1488
v. Bay City, &c., R. Co., 107 N. W. 94, 1096aq, 1096cp
v. Chicago, &c., R. Co., 35 Iowa, 129, 947, 1004, 1055
v. Chicago, &c., R. Co., 41 Iowa, 52, 998
v. Hart, 118 Mass. 543, 67, 385, 488, 514, 1341
v. New York, &c., R. Co., 154 Mass. 349, 1259
v. New York, &c., R. Co., 183 Mass. 393, 1369
v. St. Louis, &c., R. Co., 62 Mo. 43, 324, 329
v. Savannah, &c., R. Co., 86 Ga. 236, 1367
v. Staten Island, &c., Co., 125 N. Y. 407, 1159, 1164, 1179l
v. Tearney, 102 U. S. 415, 1008
Daniels, &c., v. Union, &c., R. Co., 6 Utah, 357, 1327
Danner v. South Carolina R. Co., 4 Rich. L. 329, 1163, 1313
Dano v. Mississippi, &c., R. Co., 27 Ark. 564, 790, 1073, 1074
Dansville St. Car Co. v. Watkins, 97 Va. 713, 1096cm
Dantzer v. Indianapolis Union, &c., R. Co., 141 Ind. 604, 981, 1086
Dantzler v. De Bardeleben, &c., Co., 101 Ala. 309, 1353
Danvers Sav. Bank v. Thompson, 133 Mass. 182, 647

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Danville v. Montpelier, &c., R. Co., 43 Vt. 144, 862, 881
v. Pace, 25 Gratt. (Va.) 1, 950
v. Southern R. 8 I. C. C. 409, 1684b
Danville Bridge Co. v. Pomroy, 15 Pa. St. 151, 226
Danville, &c., R. Co. v. Brown, 90 Va. 340, 1256
v. Commonwealth, 78 Pa. St. 29, 718
v. State, 16 Ind. 456, 54
v. Stewart, 2 Met. (Ky.) 122, 1825
v. Stewart, 2 Metc. (Ky.) 119, 1635
Dardanelle, &c., R. Co. v. Shinn, 52 Ark. 93, 364
Darden v. Atlantic, &c., R. Co., 56 S. E. 512, 1628c
Dargan v. Carolina, &c., R. Co., 113 N. C. 596, 1010
v. Carolina Cent. R. Co., 131 N. Car. 623, 969, 1049
v. Pullman Car Co., 2 Tex. App. (Civil Cases) 607, 1623
Darling v. Blackstone, &c., Co., 16 Gray (Mass.), 187, 1025
v. Boston, &c., Co., 121 Mass. 118, 1180, 1204
v. Boston, &c., Railroad, 11 Allen, 295, 1435, 1445, 1450
v. Gunn, 50 Ill. 424, 751
v. New York, &c., R. Co., 17 R. I. 708, 1271
v. Westmoreland, 52 N. H. 401, 1177, 1264
Darlington v. Atlantic Trust Co., 68 Fed. R. 849, 816, 840, 847, 889
v. Missouri, &c., R. Co., 99 Mo. App. 1, 1567a
v. United States, 82 Pa. St. 382, 950, 1027
Darnell v. Lyon, 85 Tex. 455, 105
v. State, 48 Ark. 321, 48
Darracott v. Chesapeake, &c., R. Co., 83 Va. 288, 1282
Darrigan v. New York, &c., R. Co., 52 Conn. 285, 1316 1322
Dart v. Ensign, 47 N. Y. 619, 1559
v. Huston, 22 Ga. 506, 615
v. McKinney, 9 Blatchf. (U. S. C. C.) 359, 656
Dartmouth College v. Woodward, 4 Wheat. (U. S.) 518, 16, 43
Dash v. Van Kleeck, 7 Johns. 477, 666
Dater v. Troy, &c., R. Co., 2 Hill (N. Y.), 629, 1050
Daub v. Yonkers St. R. Co., 69 Hun, 138, 1096ct
Daube & Kapp v. Chicago, &c., R. Co., 86 S. W. 797, 1731
Dauchy v. Brown, 24 Vt. 197, 92, 179
Daugherty v. Fowler, 44 Kan. 628, 1414
v. Herzog, 145 Ind. 255, 1064
v. Midland Steel Co., 23 Ind. App. 78, 1295
Daume v. Chicago, &c., R. Co., 72 Wis. 523, 1179i
Daunesburgh v. Jenkins, 57 N. Y. 177, 843, 844
Dave v. Morgan's Louisiana, &c., R. Co., 46 La. Ann. 273, 623
Davenport v. Brooklyn City R. Co., 100 N. Y. 632, 1095, 1168
v. Chicago, &c., Co., 38 Iowa, 633, 738
v. Chicago, &c., R. Co., 76 Wis. 399, 1200
v. Dows, 18 Wall. (U. S.) 626, 165, 742
v. Kelly, 52 N. Y. 193, 563
Davenport v. Kelley, 7 Ia. 102, 1096t
v. Pennsylvania R. Co., 166 Pa. St. 480, 1689i
v. Railroad Co., 173 Pa. St. 398, 1474
v. Richmond City, 81 Va. 639, 950
Davenport National Bank v. Homeyer, 45 Mo. 145, 1428, 1429a
Davenport, &c., R. Co. v. O'Conner, 40 Iowa, 477, 125
v. Rogers, 39 Iowa, 298, 125
v. Sinnett, 111 Ill. App. 75, 994, 995, 1005, 1049f
Daves v. Southern Pac. R. Co., 98 Cal. 19, 1301
Davet v. Greenfield, &c., R. Co., 177 Mass. 106, 1096cy
Davey v. London, &c., R. Co., L. R. 11 Q. B. Div. 213, 1179, 1313
v. London, &c., R. Co., L. R. 12 Q. B. D. 70, 1163
v. Mason, 1 Car. & M. 45, 1406
David v. Kingscote, 6 M. & W. 174, 1
v. Portland, &c., Co., 14 Ore. 98, 837
David and Caroline, The, 5 Blatchf. 266, 1466
Davidson's Case, 3 De G. & S. 21, 112
Davidson v. Boston, &c., R. Co., 3 Cush. (Mass.) 91, 930, 976, 1007, 1025, 1026, 1049e
v. Bridgeport, 8 Conn. 472, 227
v. Burnard, L. R. 4 C. P. 117, 1509
v. Central Iowa R. Co., 75 Iowa, 22, 1209
v. Chicago, &c., R. Co., 98 Mo. App. 142, 1179e
v. City Bank, 57 N. Y. 81, 1559
v. County Commissioners, 18 Minn. 482, 1
v. Denver, &c., R. Co., 4 Colo. App. 283, 1096bq, 1096cq
v. Gillies, 1 Am. & Eng. R. R. Cas. 595, 317
v. Graham, 2 Ohio St. 131, 1497
v. Gwynne, 12 East, 381, 1481
v. Hill (1901), 2 K. B. 606, 1366a
v. Hobson, 1 Mo. App. Reporter, 28, 13
v. Lake Shore, &c., R. Co., 179 Pa. St. 227, 1179j
v. Lake Shore, &c., R. Co., 171 Pa. St. 522, 1167
v. Michigan, &c., R. Co., 49 Mich. 428, 682, 1184
v. New Orleans, 96 U. S. 97, 771, 951, 980, 1019
v. Nicholson, 59 Ind. 411, 632
v. Rankin, 34 Cal. 503, 188
v. St. Paul, &c., R. Co., 34 Minn. 51, 1243a
v. Southern Pacific R. Co., 44 Fed. R. 476, 1288, 1808
v. State, 4 Tex. App. 545, 724
v. Texas, &c., R. Co., 29 Tex. Civ. App. 54, 986, 1010, 1025, 1046a
Davidson Benedict Co. v. Severson, 109 Tenn. 572, 1361a
Davie v. Cochrane, &c., Co., 164 Mass. 453, 1342
Davies v. Los Angeles, 86 Cal. 37, 782
v. Mann, 10 Mees. & W. 546, 1175, 1253
v. New York Concert Co., 41 Hun (N. Y.), 492, 505
v. St. Louis, &c., R. Co., 56 Iowa, 192, 416
Daviess County v. Dickinson, 117 U. S. 657, 827, 839, 876, 890, 891, 898, 900, 913

Digitized by Google

[*References are to Sections*—*Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Daviess v. Huidekoper, 98 U. S. 98, 867, 882, 897, 898
Daviess County Court v. Howard. 13 Bush. (Ky.), 101, 857, 875, 893
Davis v. Aetna, &c., Co., 67 N. H. 218, 1494
v. Alvord, 94 U. S. 545, 1074
v. Atlanta, &c., R. Co., 63 S. C. 370, 467, 472, 1155
v. Badders, 95 Ala. 348, 1060
v. Baltimore, &c., R. Co., 152 Pa. St. 314, 1290, 1296
v. Bangor, &c., 60 Me. 303, 1024
v. Bank, 4 McLean, (U. S. Cir.), 387, 369
v. Bank of England, 2 Bing. 393, 92
v. Belford, 70 Mich. 120, 105
v. Boston, &c., R. Co., 70 N. H. 519, 1205
v. Bowsher, 5 Durnf. & East, 488, 1075
v. Bradley, 24 Vt. 55, 1426, 1428
v. Bronson, 2 N. Dak. 300, 105
v. Burlington, &c., R. Co., 26 Iowa, 549, 1201
v. Button, 78 Cal. 247, 1392, 1393, 1573
v. Camden, &c., R. Co. (N. J.) 63 Atl. 843, 1096bt
v. Cayuga, &c., R. Co., 10 How. Pr. (N. Y.) 330, 1647, 1651
v. Central Cong. Soc., 129 Mass. 367, 1249
v. Central R. Co., 75 Ga. 645, 1186, 1208
v. Central Vt. R. Co., 66 Vt. 290, 1423, 1457a, 1502, 1508
v. Central, &c., R. Co., 55 Vt. 84, 1268, 1288, 1298, 1316, 1317, 1318a, 1323
v. Central, &c., R. Co., 17 Ga. 323, 24
v. Charles River, &c., R. Co., 11 Cush. (Mass.) 506, 1025, 1036, 1049c
v. Chesapeake, &c., R. Co., 29 Ky. L. 53, 1396, 1578a, 1645
v. Chesapeake, &c., R. Co., 25 Ky. L. 342, 1761
v. Chicago, &c., R. Co., 40 Iowa, 292, 1185
v. Chicago, &c., R. Co., 46 Iowa, 389, 1088, 1108
v. Chicago, &c., R. Co., 58 Wis. 646, 1093, 1096at, 1154, 1252, 1257
v. Chicago, &c., R. Co., 83 Iowa, 744, 1506, 1661
v. Chicago, &c., R. Co., 46 Fed. R. 307, 653
v. Chicago, &c., R. Co. (Wis.) 67 N. W. 1132, 1584, 1627, 1640, 1644, 1670, 1696
v. Chicago, &c., R. Co., 93 Wis. 470, 1494, 1605, 1670, 1830
v. Cleveland, &c., R. Co., 140 Ind. 468, 1147
v. Cleveland, &c., R. Co., 146 Fed. 403, 654, 1673
v. Cobban, 39 Iowa, 392, 120
v. Columbia, &c., R. Co., 21 So. Car. 93, 1269
v. Concord, &c., R. Co., 68 N. H. 247, 1793
v. Congregation, 57 N. Y. 1015, 165
Davis v. County Commissioners, 153 Mass. 218, 1086, 1105
v. Crookston, &c., Co., 57 Minn. 402, 1073
v. Davis, &c., R. Co., 89 Mo. 347, 1457a
v. Detroit, &c., Co., 20 Mich. 105, 213, 1286, 1292, 1322
v. Duke of Marlborough, 2 Swanst. *p. 167, per Lord Eldon, 586
v. Dumont, 37 Iowa, 47, 130
v. Duncan, 19 Fed. R. 477, 580, 581, 587
v. East Tennessee, &c., Railway Co., 87 Ga. 605, 966, 967, 974
v. Flagstaff, &c., Co., 2 Utah, 74, 251
v. Forbes, 171 Mass. 548, 1288a
v. Garrett, 6 Bing. 716, 1440, 1455, 1457, 1457a, 1483, 1488, 1520
v. Gemmel, 70 Md. 356, 620
v. Georgia R., &c., Co., 110 Ga. 305, 1836
v. Gray, 16 Wall. (U. S.) 219, 184, 537, 538, 539, 555, 568, 570, 806, 807
v. Guarnieri, 45 Ohio St. 470, 1378b
v. Hannibal, &c., Co., 19 Mo. App. 425, 1182
v. Houghtelin, 33 Neb. 582, 1265
v. Howell, 47 N. J. Law, 665, 1013
v. Jackson, 152 Mass. 58, 307
v. Jacksonville, &c., Line, 126 Mo. 69, 1434, 1435, 1482, 1483, 1520
v. Jones, 2 Fed. R. 618, 702
v. Kendallville, 5 Biss. 280, 900
v. La Crosse, &c., R. Co., 12 Wis. 16, 1025
v. La Crosse, &c., 121 Wis. 579, 1075
v. Ladoga Creamery Co., 128 Ind. 222, 537, 568
v. Lehigh Valley R. Co., 64 Hun, (N. Y.), 492, 1642a
v. Leominster, 1 Allen (Mass.), 182, 1092
v. Life Association, 11 Fed. R. 305, 570
v. Louisville, &c., R. Co., 69 Miss. 136, 1630
v. Mayor, 1 Duer (N. Y.), 451, 343
v. Mayor, 14 N. Y. 506, 1076, 1077, 1096, 1096g, 1096l, 1096n, 1096u, 1575
v. Memphis, &c., R. Co., 22 Fed. R. 883, 224, 285, 615
v. Memphis, &c., R. Co., 87 Ala. 633, 400
v. Meredith, 48 Mo. 263, 625
v. Michigan Central R. Co., 22 Ill. 278, 1647, 1655, 1658, 1660
v. Montgomery, &c., Co., 101 Ala. 127, 91
v. New Bedford, 133 Mass. 49, 1007
v. New York, &c., R. Co., 47 N. Y. 400, 1165
v. New York, &c., R. R., 143 Mass. 301, 28, 1339, 1364
v. New York, &c., R. Co., 159 Mass. 532, 1288, 1317, 1353, 1356
v. New York, &c., R. Co., 70 Minn. 37, 1510, 1510a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Davis v. Nuttallsburg, &c., Co., 34 W. Va. 500, 1314
v. Old Colony R. Co., 131 Mass. 258, 38, 228, 340, 341, 350, 372, 373, 374, 376, 440, 481
v. Oregon, &c., R. Co., 8 Ore. 172, 1177
v. Oregon, &c., R. Co., 88 Pac. 2, 16891
v. Pattison, 24 N. Y. 317, 1559
v. Pennsylvania R. Co., 64 Atl. 774, 1036
v. Providence, &c., R. Co., 121 Mass. 134, 471, 1237
v. Railroad Co., 1 Woods (U. S.), 661, 553
v. Railway Co., 93 S. W. 222, 1634
v. Rock Creek, &c., Co., 55 Cal. 359, 285
v. Rockingham, &c., Co., 89 Va. 290, 355
v. Russell, 47 Me. 448, 986
v. St. Louis, &c., R. Co., 25 Fed. R. 786, 656
v. St. Louis, &c., R. Co., 53 Ark. 117, 1359, 1361a, 1375, 1376
v. St. Louis, &c., R. Co., 92 S. W. 831, 1260, 1261
v. San Lorenzo, &c., Co., 47 Cal. 517, 925, 1050
v. Seaboard Air Line R. Co., 134 N. C. 300, 1212
v. Seeley, 91 Ia. 583, 1774
v. Shafer, 50 Fed. R. 764, 105
v. Shearer, 90 Wis. 250, 564
v. Smith, 15 Mo. 467, 1456
v. Snead, 33 Gratt. (Va.) 705, 568
v. Southern R. Co., 68 S. C. 446, 1205
v. State, 6 Tex. App. 166, 724
v. State, 119 Ind. 555, 712
v. State, 51 Neb. 301, 730
v. Staten Island, &c., R. Co., 37 N. Y. S. 157, 1282
v. Tacoma, R., &c., Co., 35 Wash. 203, 1816
v. Texas, &c., R. Co., 91 Tex. 505, 1465
v. Titusville, &c., R. Co., 114 Pa. St. 308, 1001, 1003b, 1025
v. United States, 104 Fed. 136, 1688
v. U. S., &c., Co., 77 Md. 35, 159
v. Wabash, &c., R. Co., 89 Mo. 340, 1454, 1457, 1457a, 1516, 1718, 1721
v. Wabash R. Co., 99 S. W. 17, 1557
v. Wakelee, 150 U. S. 680, 1471
v. Western, &c., Co., 107 Ala. 626, 1314
v. Woolnough, 9 Iowa, 104, 845
v. Yuba Co., 75 Cal. 452, 881
Davis Coal Co. v. Polland, 158 Ind. 607, 1288a
Davis, &c., Co. v. Barber, 51 Fed. R. 148, 105
v. Davis, &c., Wagon Co., 20 Fed. R. 699, 237
v. Hillsboro, &c., Co., 10 Ind. App. 42, 14
Davison v. Gillies, 16 Ch. Div. (1879) 347, 1684c
v. Hutchinson, 44 N. J. Eq. 474, 1057f
v. New Orleans, 96 U. S. 97, 950
Dawes v. Peck, 8 T. R. 330, 1426, 1692
Dawkes v. Lord De Lorane, 3 Wils. 207, 594
Dawley v. Wagner, &c., Co., 169 Mass. 315, 1616, 1623
Dawson v. Chicago, &c., R. Co., 79 Mo. 296, 1483
v. Chicago, &c., R. Co., 114 Fed. 870, 1315d
v. Danbury Bank, 15 Mich. 489, 512
v. Harrington, 12 Ill. 300, 1061
v. Iron Range, &c., R. Co., 97 Mich. 33, 627
v. Kinney, 144 Fed. 710, 655a
v. Lee, 83 Ky. 49, 1665
v. Louisville, &c., R. Co. (Ky.) 11 Am. & Eng. R. Cas. 134, 1628
v. Parsons, 137 N. Y. 605, 540
v. St. Louis, &c., R. Co., 76 Mo. 514, 1512 1552
v. Railroad Co., 156 Mass. 127, 1628a
Day v. Boston, &c., R. Co., 96 Me. 207, 1689g
v. Brooklyn, &c., R. Co., 76 N. Y. 592, 1096dc
v. Cleveland, &c., R. Co., 137 Ind. 206, 1290, 1314
v. Croft, 2 Beav. (Eng.) 488, 584
v. Green, 4 Cush. (Mass.) 433, 1093, 1096ar
v. Holland, 15 Ore. 464, 1801
v. Joiner, 6 Baxter 441, 750
v. Lyon, 11 N. J. Eq. 331, 529
v. New Lots, 107 N. Y. 148, 527a
v. New York Central R. Co., 31 Barb. 548, 420
v. New York, &c., R. Co., 53 Barb. 250, 1188
v. Ogdensburg, &c., R. Co., 107 N. Y. 129, 437, 444, 482
v. Owen, 5 Mich. 520, 193, 202, 1280, 1576, 1665, 1760
v. Postal Telegraph Co., 60 Md. 354, 555
v. Railroad Co., 41 Ohio St. 392, 401, 973
v. Ridley, 16 Vt. 48, 1455, 1692
v. Spiral Springs Co., 57 Mich. 146, 372
v. Toledo, &c., R. Co., 42 Mich. 523, 1296, 1301
v. Wamsley, 33 Ind. 145, 226
v. Woodworth, 13 How. 363, 1183
v. Worcester, &c., R. Co., 151 Mass. 302, 327, 333, 335, 483
Dayharsh v. Hannibal, &c., R. Co., 103 Mo. 570, 1318, 1329
Dayton v. Borst, 31 N. Y. 435, 184, 556
v. Coal & Iron Co., 99 Tenn. 578, 741
v. Parke, 67 Hun, 137, 1559
Dayton Min. Co. v. Seawell, 11 Nev. 394, 950, 952
Dayton, &c., R. Co. v. Dayton, &c., Trac. Co., 26 Ohio Civ. Ct. R. 1, 1096bp
v. Felsenthal, 116 Fed. 961, 537
v. Hatch, 1 Disney (Cin. Super. Ct.), 84, 112, 115, 236, 249, 250, 252
v. Lewton, 20 Ohio St. 401, 416, 520, 935, 936, 941, 945
v. Marshall, 11 Ohio St. 497, 1033
Deaderick v. Wilson, 8 Baxt. (Tenn.) 108, 172, 256, 291, 328
Dealey v. Mullen, 149 Mass. 432, 1261
v. Philadelphia, &c., R. Co. (Pa. St.) 4 Atl. R. 170, 1326

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Dealing v. N. Y., &c., R. Co., 8 N. Y. St. R. 386, 625
Dean's Appeal, 98 Pa. St. 101, 614
Dean v. Ann Arbor St. R. Co., 93 Mich. 330, 1096c
v. Applegarth, 65 Cal. 391, 506
v. Biggs, 25 Hun (N. Y.), 122, 179, 497
v. Chicago, &c., R. Co., 43 Wis. 305, 1218
v. Colt, 99 Mass. 480, 1048
v. Davis, 51 Cal. 406, 16
v. Driggs, 137 N. Y. 274, 303, 1419
v. East Tennessee, &c., R. Co., 98 Ala. 586, 1267a
v. Kansas City, &c., R. Co., 199 Mo. 386, 1290, 1800
v. King, 22 Ohio St. 118, 303, 1419, 1420
v. Paterson, 67 N. J. L. 199, 1096am
v. Pennsylvania R. Co., 129 Pa. St. 514, 1174, 1178
v. St. Paul Union, &c., Co., 41 Minn. 360, 1453
v. State, 43 So. 24, 1096bp
v. Vaccaro, 2 Head (Tenn.), 488, 1524
Deane v. Todd, 22 Mo. 90, 751
Deans v. Wilmington, &c., R. Co., 107 N. Car. 686, 1251
Deansville Cemetry Association, Matter of, 66 N. Y. 569, 952
Dearborn v. Boston, &c., R. Co., 24 N. H. 179, 718, 994, 995, 999, 1004, 1005, 1040, 1057
Dearden v. Townsend, L. R. 1 Q. B. 10, 727a
Deavers v. Spencer, 70 Fed. R. 480, 1298
De Baker v. Southern Cal. R. Co., 106 Cal. 257, 1057
DeBemer v. Drew, 57 Barb. (N. Y.) 438, 556
Debervoise v. New York, &c., R. Co., 98 N. Y. 377, 1366
DeBetz's Petition, 9 Abb. N. C. (N. Y.) 246, 508
DeBolt v. Kansas City, &c., R. Co., 123 Mo. 496, 1248, 1697
Debs, In re, 158 U. S. 564, 575, 633, 1258e, 1664, 1674, 1688,
Debs v. Dalton, 7 Ind. App. 84, 625
DeBuol v. Freeport, &c., R. Co., 111 Ill. 499, 998, 1014, 1036
DeCamp v. Alward, 52 Ind. 468, 253, 602, 606
v. Eveland, 19 Barb. (N. Y.) 81, 57
v. Hibernia Underground R. Co., 47 N. J. Law, 43, 952a, 961, 963, 972
v. Mississippi, &c., 12 Iowa, 348, 213
v. Omaha, &c., R. Co., 62 Minn. 207, 1244
Decan v. Shipper, 35 Pa. St. 239, 1428, 1429
Decatur v. Grand Rapids, &c., R. Co., 146 Ind. 577, 1028
v. Hamilton, 89 Ill. App. 561, 1816, 1819
DeCaumont v. Bogert, 36 Hun (N. Y.), 382, 96, 97
Dechene v. Greenfiled, &c., R. Co., 188 Mass. 423, 1096br
Decker v. Atchison, &c., R. Co., 3 Okla. 553, 1576
v. Gardner, 124 N. Y. 334, 538, 546, 573, 609
Decker v. Gardner, 58 Hun, 602, 574
v. Hughes, 68 Ill. 33, 819
v. Manhattan R. Co., 49 Hun (N. Y.), 607, 1845
Deckerd v. Wabash R. Co., 111 Mo. App. 117, 1278a
Dederichs v. Salt Lake City R. Co., 14 Utah, 137, 1783
Deere v. Bagley, 80 Iowa, 197, 217
v. Cole, 118 Ill. 165, 1049
v. Rio Grande County, 33 Fed. R. 823, 918
Deere, &c., Co. v. Chicago &c., Co., 85 Fed. 876, 650a
Deering Harvester Co., v. Barzak, 81 N. E 1, 1819
De Farr v. Ferd Hein Brewing Co., 62 Kan. 188, 1154
DeForest v. Jewett, 88 N. Y. 264, 1269, 1272
DeForth v. Wisconsin, &c., R. Co., 52 Wis. 320, 872
Defreize v. Illinois Cent. R. Co., 94 N. W. 505, 1154, 1158
DeGendre v. Kent, L. R. 4 Eq. Cas. 283, 304, 306
DeGeofroy v. Merchants', &c., R. Co., 179 Mo. 698, 996e, 1007, 1049b, 1085, 1087
Degg v. Midland R. Co., 1 H. & N. 773, 1305
DeGraff v. New York, &c., R. Co., 76 N. Y. 125, 1278, 1283
v. Thompson, 24 Minn. 452, 497, 626
DeGraffenried v. Brunswick, &c., Co., 57 Ga. 22, 537, 571
De Grauw v. Long Island Elec. R. Co., 60 N. Y. S. 163, 1096a, 1096bg, 1096bt
DeGraw v. Wilson, 17 Fed. R. 698, 1527
DeGroff v. American, &c., Co., 21 N. Y. 124, 228, 369
DeGroot v. Jay, 30 Barb. (N. Y.) 483, 572
v. United States, 5 Wall. 419, 675
DeHarn v. Mexican, &c., R. Co., 86 Tex. 68, 1364
DeHave v. Mexican Nat. R. Co., 22 S. W. 249, 1366
Dehon v. Foster, 4 Allen (Mass.), 545, 627
Dehsoy v. Milwaukee Elec. R. Co., 110 Wis. 412, 1840
Deikman v. Morgan, &c., R. Co., 40 La Ann. 787, 1171
Deisen v. Chicago, &c., R. Co., 43 Minn. 454, 1813
Deitrichs v. Lincoln, &c., R. Co., 13 Neb. 361, 461, 954, 958, 962, 970, 971, 1025, 1033, 1045
Deitring v. St. Louis Transit Co., 109 Mo. App. 524, 1096cf, 1096cp, 1096cq
DeKalb, &c., R. Co. v. Rowell, 74 Ill. App. 191, 1847
DeKamp v. Hibernia, &c., R. Co., 47 N. J. L. 43, 970
DeKay v. Chicago, &c., R. Co., 41 Minn. 178, 1578, 1628
v. Hackensack Water Co., 38 N. J. Eq. 158, 226
DeKoven v. Alsop, 205 Ill. 309, 307, 320
Delabole State Co. v. Bangor, &c., R. Co., 6 North. Co. R. (Pa.) 337, 923

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Delamatyr v. Milwaukee, &c., R. Co., 24 Wis. 578, 1628, 1628b
DeLancey v. Ins. Co., 52 N. H. 581, 39
Deland v. Platte County, 54 Fed. R. 823, 846
Delaney v. Milwaukee, &c., R. Co., 33 Wis. 67, 1252
Delano v. Case, 121 Ill. 247, 282
Delaplaine v. Chicago, &c., R. Co., 42 Wis. 214, 977
v. Cook, 7 Wis. 44, 688
Delaware, The, 14 Wall. (U. S.) 579, 1415, 1418, 1419, 1423, 1503
Delaware City, &c., Co. v. Reybold, 8 Houst. (Del.) 203, 257
Delaware & R. C. Co. v. Camden & A. R. Co., 16 N. J. Eq. 321, 32, 38
Delaware R. R. Co. v. Tharp, 1 Houst. (Del.) 149, 45
v. Tharp, 5 Harr. (Del.) 454, 43, 56
Delaware Railroad Tax Cases, 18 Wall. 206, 26, 339, 736, 747, 755, 757, 769
Delaware State Grange v. New York, &c., R. Co., 5 Interst. Com. Com. R. 161, 1684
v. New York, &c., R. Co., 3 Interstate Com. R. 554, 1566, 1684e
Delaware, &c., Canal Co. v. Commonwealth, 50 Pa. St. 399, 16
v. Lee, 22 N. J. Law, 243, 977, 1057
v. Sansom, 1 Binn. (Pa.) 70, 149, 150
v. Village of Whitehall, 90 N. Y. 21, 5
v. Webster (Pa. St.), 6 Atl. R. 841, 1628
Delaware, &c., R. Co. v. Ashley, 67 Fed. R. 209, 1605, 1608, 1629, 1635, 1689l
v. Buffalo, 158 N. Y. 266, 1076
v. Buffalo, 4 App. Div. (N. Y.) 562, 948a
v. Burson, 61 Pa. St. 369, 934, 937, 987, 995, 996, 1006, 1007, 1054
v. Central, &c., Co., 43 N. J. Eq. 71, 636
v. Converse, 139 U. S. 469, 1156, 1162, 1179, 1793
v. Dailey, 37 N. J. Law, 526, 1585
v. Devore, 114 Fed. 155, 1812
v. Devore, 122 Fed. 791, 1850
v. Erie R. Co., 21 N. J. Eq. 298, 547, 575
v. Frank, 110 Fed. 689, 1599
v. Hefferan, 57 N. J. L. 578, 1165, 1171
v. Irick, 23 N. J. L. 321, 163, 173, 252
v. Jones, 128 Pa. St. 308, 1773
v. Kutter 147 Fed. 51, 342, 1678
v. Markley, 45 N. J. Eq. 139, 539
v. Napheys, 90 Pa. St. R. 135, 1644
v. Newton, &c., Co., 137 Pa. St. 314, 632
v. Oxford Iron Co., 33 N. J. Eq. 192, 605, 1075
v. Oxford Iron Co., 36 N. J. Eq. 452, 498
v. Pennsylvania, 198 U. S. 341, 755, 762
v. Reich, 61 N. J. L. 635, 1259
Delaware, &c., R. Co. v. Salmon, 39 N. J. Law, 299, 477, 1226, 1231, 1237, 1238, 1239
v. Scranton, 34 N. J. Eq. 429, 530
v. Shelton, 55 N. J. L. 342, 1156, 1161
v. Toffey, 38 N. J. L. 525, 1157
v. Trautwein, 52 N. J. L. 169, 1628
Delaware, &c., Co. v. Atkins, 121 N. Y. 246, 751
v. Commonwealth (Pa.), 17 Atl. R. 175, 690
v. Commonwealth, 2 Inter. Com. R. 222, 780
v. Davenport R. Co., 46 Iowa, 406, 1071
v. Lackawanna, &c., R. Co., (Pa. Com. Pl.) 3 Lack. Jur. 413, 1122
v. Nuttall, 119 Pa. St. 149, 1274
v. Pennsylvania, &c., Co., 21 Pa. St. 131, 246
De La Vergne, &c., Co. v. German, &c., Inst. 175 U. S. 40, 385
DeLissa v. Missouri P. R. Co., 36 Mo. App. 706, 334
Dell v. Phillips, &c., Co., 169 Pa. St. 549, 1257
De Lon v. Kokomo, &c., St. R. Co., 22 Ind. App. 377, 1096aq, 1096cl
DeLong v. Schimmel, 58 Ind. 64, 36
Delmonte v. Southern Pac. R. Co., 83 Pac. 269, 1637
Delphi v. Bowen, 61 Ind. 29, 751
v. Lowery, 74 Ind. 520, 1177, 1378a
Delphia v. Rutland R. Co., 76 Vt. 84, 1190
Delsol v. Spokane, &c., R. Co. 4 Idaho, 456, 938
Delta Bag Co. v. Kearns, 112 Ill. Ap. 269, 1540
DeLucas v. New Orleans, &c., R. Co., 38 La. Ann. 930, 1597, 1602
DeLucca v. North Little Rock, 142 Fed. 597, 981, 996e, 1057a, 1108
Delzell v. Indianapolis &c., R. Co., 32 Ind. 45, 1096cc
DeMahy v. Morgan, &c., Co., 45 La. Ann. 1329, 1689l
Demaree v. Bridges, 30 Ind. App. 131, 863, 872
v. Johnson, 150 Ind. 419, 828, 859, 859a, 860, 872
Demarest v. Flack, 128 N. Y. 205, 22, 190, 244
v. New York, 74 N. Y. 161, 837
Deming v. Chicago, &c., R. Co., 80 Mo. App. 152, 1817, 1831
v. Grand Trunk, &c., Co., 48 N. H. 455, 216, 303, 1406, 1552
v. Houlton, 64 Me. 254, 836
v. Merchants', &c., Co., 33 Am. L. Reg. 391, 1533
v. Merchants' C. P. & S. Co., 90 Tenn. 306, 1404, 1462, 1463
v. Norfolk, &c., R. Co., 21 Fed. R. 25, 1445
DeMott v. Laraway, 14 Wend. (N. Y.) 225, 1466
DeMottos v. Jordan, 15 Wash. 378, 1060a
Dempfell v. Ohio, &c., R. Co., 110 U. S. 209, 620
Dempsey v. New York, &c., R. Co., 146 N. Y. 290, 1613
v. Sawyer, 95 Me. 295, 1288a
Dempster, &c., Co. v. Downs, 126 Ia. 80, 99

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Denavy, &c., v. Manchester, &c., R. Co., L. R. 11 App. Cas. 97, 1467, 1676, 1678, 1683
Deni v. Pennsylvania R. Co., 181 Pa. St. 525, 1359, 1366a
Denike v. New York, &c., Co., 80 N. Y. 599, 54, 163, 543, 608
Denison v. Barry, 98 Tex. 248, 1057d, 1057g
v. Columbus, 62 Fed. R. 775, 836
Denison, &c., R. Co. v. Carter, 98 Tex. 196, 1096cs
v. Powell, 35 Tex. Civ. App. 454, 1096cf, 1808
v. Randall, 29 Tex. Civ. App. 460, 1823
v. St. Louis, &c., R. Co., 30 Tex. Civ. App. 474, 931
v. St. Louis, &c., R. Co., 96 Tex. 233, 946c
Dennison, &c., Co. v. Freeman, 85 S. W. 55, 1844
Denman v. Johnson, 85 Mich. 387, 1813
v. Railroad Co., 52 Neb. 140, 1483
Denney v. Cleveland, &c., R. R. Co., 28 Ohio St. 108, 483
Denni v. Harris, 9 Pick. (Mass.) 364, 1570
Dennick v. Railroad Co., 103 U. S. 11, 710, 1339, 1366, 1371
Denning v. Grand Trunk R. Co., 48 N. H. 455, 1731
Dennis v. Clark, 56 Mass. 347, 1822
v. Joslin, &c., Co., 19 R. I. 666, 164
v. Louisville, &c., R. Co., 116 Ind. 42, 1209, 1213, 1257
v. New York, &c., R. Co., 13 Gray, (Mass.), 481, 1799
v. Pittsburg, &c., R. Co., 165 Pa. St. 624, 1630a, 1644
Dennison v. Foster, 9 Ohio 126, 934
v. Mayor, &c., 62 Fed. R. 775, 843
Denniston v. Chicago, &c., R. Co., 4 Biss. (U. S. C. C.) 414, 500, 528
Dennistoun v. Draper, 5 Blatchf. (U. S. C. C.) 336, 646, 1371
Dennistown v. New York, &c., R. Co., 1 Hilton, (N. Y.), 62, 24
Denny, In re, 156 Ind. 104, 849
Denny v. New York, &c., R. Co., 13 Gray 481, 1457, 1457a, 1488
v. New York, &c., R. Co., 5 Daly, (N. Y.), 50, 1595
Denny Hotel Co. v. Schram, 6 Wash. 134, 111, 111a, 251
Denslow v. New Haven, &c., R. Co., 16 Conn. 98, 1048
Densmore Oil Co. v. Densmore, 64 Pa. St. 43, 11, 12, 276
Densmore, &c., R. Co. v. Duluth, 101 Wis. 563, 1478, 1480
Dent v. Chiles, 5 Stew. & P. (Ala.) 383, 1525
v. London, &c., Co., L. R. 16 Ch. Div. 344, 83, 317
v. Ross, 52 Miss. 188, 684
v. St. Louis, &c., R. Co., 83 Mo. 496, 1198
v. South Bound R. Co., 61 S. C. 329, 1239
Denton v. Chicago, &c., R. Co., 52 Iowa, 161, 1457
v. Great Northern R. Co., 5 El. & Bl. 860, 1576, 1627a
v. Jackson, 2 Johns. Ch. (N. Y.) 320, 16
Denver v. Bayer, 7 Colo. 113, 976, 978, 1049b, 1087
Denver v. Burlington, &c., R. Co., 35 Minn. 73, 5
v. Knowles, 17 Colo. 204, 781
v. Smock, 23 Colo. 456, 1771
Denver City, &c., v. Middaugh, 12 Colo. 434, 1014
Denver Consol. Elec. Co. v. Simpson, 21 Colo. 371, 1096cm
Denver Fire Ins. Co. v. McClelland, 9 Colo. 11, 372
Denver Power, &c., Co. v. Colorado, R. Co., 30 Colo. 204, 977a
v. Denver, &c., R. Co., 30 Colo. 204, 966, 975b, 1030a, 1030b, 1035a, 1053
Denver Tramway Co. v. Crumbaugh, 23 Colo. 363, 1796
v. Reed, 4 Colo. App. 500, 1837
v. Reid, 4 Colo. App. 53, 1096cr, 1096cu
Denver, &c., Construction Co. v. Stout, 8 Colo. 61, 1059
Denver, &c., R. Co. v. Andrews, 11 Colo. App. 204, 1634
v. Barsaloux, 15 Colo. 290, 1096
v. Buffehr, 30 Colo. 27, 1762
v. Burchard, 86 Pac. 749, 1269, 1290
v. Cahill, 8 Colo. App. 158, 1714
v. Canon City, &c., R. Co., 99 U. S. 463, 926, 927
v. Conway, 8 Colo. 1, 1241
v. DeGraff, 2 Colo. App. 42, 1223, 1243
v. Denver, &c., R. Co., 17 Fed. R. 867, 41, 921, 922
v. Denver, &c., Co., 2 Colo. 673, 405, 1049, 1077 1080, 1096l, 1096q, 1096s, 1096t
v. DeWitt, 1 Colo. App. 419, 1449, 1730
v. Driscoll, 12 Colo. 520, 1286
v. Dwyer, 20 Colo. 132, 1175
v. Dwyer, 3 Colo. App. 408, 1578, 1636
v. Frame, 6 Colo. 382, 1239, 1692
v. Gustafson, (Colo.), 41 Pac. R. 505, 5, 1166, 1171
v. Harris, 122 U. S. 597, 1231, 1253, 1265, 1773
v. Henderson, 10 Colo. 1, 1205, 1213, 1222, 1223
v. Hill, 13 Colo. 35, 1451, 1570
v. Hodgson, 18 Colo. 117, 1585
v. Jackson, 6 Colo. 340, 1053
v. Lamborn, 8 Colo. 380, 1028, 1033
v. Morton, 3 Colo. App. 155, 1238
v. Moynahan, 8 Colo. 56, 1704
v. Nestor, 10 Colo. 403, 947, 1076
v. Norgate, 141 Fed. 247, 1315
v. Outcalt, 2 Colo. App. 395, 665, 1183, 1220
v. Peterson, 30 Colo. 77, 1464, 1528
v. Pickard, 8 Colo. 163, 1628
v. Pilgrim, 9 Colo. App. 86, 1644, 1842
v. Porter, 126 Fed. 288, 1247b
v. Riley, 7 Colo. 494, 1059
v. Robbins, 2 Colo. App. 318, 1114
v. Roberts, 6 Colo. 333, 1655
v. Roller, 100 Fed. 738, 1689l, 1815, 1817
v. Ryan, 17 Colo. 98, 1689g
v. School Dist., 14 Colo. 327, 949

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Denver, &c., R. Co. v. Scott, 81 Pac. 763, 1297
v. Simpson, 16 Colo. 55, 1296
v. Sipes, 26 Colo. 17, 1316
v. Sipes, 23 Colo. 226, 1696
v. Spencer, 25 Colo. 9 1378a
v. Spencer, 27 Colo. 313, 1641
v. Union Pac. R. Co., 34 Fed. R. 386, 952, 960, 961
v. Warring, 86 Pac. 305, 1366, 1373
v. Whau, 89 Pac. 39, 1625a
v. Wheatley, (Colo. App.), 43 Pac. 450, 1183
v. Woodward, 4 Colo. 1, 1360
Denver, &c., Co. v. Church, 17 Colo. 1, 755
v. Domke, 11 Colo. 247, 629, 630, 1076, 1088
v. Landoner, 20 Colo. 150, 1076
v. Olsen, 4 Colo. 239, 1180
v. Otis, 7 Colo. 198, 1014
Deposit Bank v. Hearne, 104 Ky. 819, 271
Deppe v. Chicago, &c., R. Co., 36 Iowa, 52, 1335, 1344
Deputron v. Young, 134 U. S. 241, 647
Depuy v. Chicago, &c., R. Co., 110 Mo. App. 101, 1355
Derby v. Gage, 60 Mich. 1, 1033
Derby Turnpike Co. v. Parks, 10 Conn. 522, 950
Derk v. Northern Cent. R. Co., 164 Pa. St. 243, 1179b, 1179l
Derosia v. Winona, &c., R. Co., 18 Minn. 133, 1464, 1517, 1520, 1527, 1528, 1711, 1743
DeRothschild v. Royal, &c., Steam Packet Co., 7 Exch. 734, 1513
Derr v. Lehigh, &c., R. Co., 158 Pa. St. 365, 1297, 1301a, 1365
Derrickson v. Smith, 27 N. J. Law, 166, 189, 710
DeRuyter v. Trustees, 3 Barb. Ch. (N. Y.) 119, 602
Derwort v. Loomer, 21 Conn. 245, 1587
Descombes v. Wood, 91 Mo. 196, 251, 602
Desha Co. v. State, 73 Ark. 387, 832
Desloge v. Pearce, 38 Mo. 588, 949
Des Moines, &c., Co. v. City of Des Moines, 44 Iowa, 505, 343
v. Des Moines, 90 Iowa, 770, 1082, 1082a, 1096ag
v. Des Moines, 73 Ia. 513, 1096s, 1096u
v. Des Moines, &c., Bank, 97 Iowa, 668, 101
v. Des Moines, 151 Fed. 854, 1670a
v. Graff, 27 Iowa, 99, 117, 121
v. Lynd, (Iowa), 62 N. W. 806, 949
v. Wabash, St. L. & P. R. Co., 135 U. S. 576, 431, 526
DeSoto Bank v. Memphis, 6 Baxt. 415, 750
DeSoucey v. Manhattan R. Co., 15 N. Y. S. 108, 1633
Despatch Line, &c., v. Bellamy, &c., Co., 12 N. H. 205, 204, 241, 244, 253, 257, 260, 491
Dessecker v. Phoenix Mills Co., 108 N. W. 516, 1278a
DeSteiger v. Hannibal, &c., R. Co., 73 Mo. 33, 1218, 1239
D'Estene v. New York, 104 Fed. 605, 881
D'Estere v. Brooklyn, 90 Fed. 586, 913
Detmold v. Drake, 46 N. Y. 318, 1008
Detroit v. Beecher, 75 Mich. 454, 1028
v. C. H. Little R. Co., 109 N. W. 671, 938b
v. City R. Co., 56 Fed. 867, 1096s
v. Dean, 106 U. S. 537, 620
v. Detroit Citizens St. R. Co., 184 U. S. 368, 400, 525a, 1096l, 1096p, 1096ah
v. Detroit City R. Co., 55 Fed. R. 569, 656
v. Detroit City Ry. Co., 56 Fed. R. 867, 39, 1077, 1096l, 1096n
v. Detroit, &c., Co., 37 Mich. 558, 66, 1079, 1081, 1096p, 1096ac
v. Detroit Plank Road Co., 43 Mich. 140, 43, 59, 660, 768, 1096n, 1102
v. Fort Wayne, &c., R. Co., 90 Mich. 646, 1082, 1096o, 1096ag, 1096aj
v. Ft. Wayne, &c., R. Co., 95 Mich. 456, 1082
v. Macomb, &c., (Mich.) 67 N. W. R. 531, 62
v. Mutual Gas Light Co., 43 Mich. 594, 72, 521
v. Osborne, 135 U. S. 492, 768, 1339
v. Wayne Circuit Judge, 127 Mich. 604, 743b
Detroit Citizens R. Co., v. Detroit, 110 Mich. 384, 1096h, 1096s
Detroit Citizens St. R. Co. v. Detroit, 64 Fed. 628, 75, 400, 426, 1096h, 1096l, 1096n, 1096ad
v. Detroit R. Co., 171 U. S. 48, 38, 1096l
Detroit City R. Co. v. Mills, 85 Mich. 634, 1089, 1096q, 1096r
Detroit R. Co. v. Common Council, 125 Mich. 673, 748
v. Guthard, 51 Mich. 180, 749
Detroit R., &c., Co. v. Detroit, 88 Mich. 347, 1
Detroit St. Ry Co. v. Mills, 85 Mich. 634, 8, 1080, 1088, 1089
Detroit Union, &c., Co. v. Detroit, 88 Mich. 347, 750
Detroit, &c., R. Co., In re, 2 Doug. (Mich.) 367, 1017
Detroit, &c., R. Co. v. Bearss, 39 Ind. 598, 858
v. Brown, 37 Mich. 533, 949, 1049
v. Campbell, 140 Mich. 384, 497, 926, 958
v. Common Council, 125 Mich. 673, 63, 737, 738
v. Detroit, 64 Fed. R. 628, 1077, 1079, 1096l
v. Detroit, 91 Mich. 444, 628, 632, 1049a, 1100
v. Detroit, 49 Mich. 47, 1023, 1025, 1100
v. Farmers', &c., Bank, 20 Wis. 122, 1433
v. Forbes, 30 Mich. 165, 940
v. Gartner, 95 Mich. 318, 1029
v. Graham, 46 Mich. 642, 1054, 1100
v. Grand Rapids, 106 Mich. 13, 786, 790
v. Hall, 133 Mich. 302, 1027, 1040a, 1053
v. Hayt, 47 Ill. 173, 1200

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Detroit. &c., R. Co. v. Interst. Com. Com., 74 Fed. R. 803, 759, 1672, 1676, 1678, 1682, 1683, 1684
v. McKenzie, 43 Mich. 609, 1435, 1438, 1563, 1569, 1733
v. Oakland Co., &c., 109 N. W. 846, 1053
v. Osborn, 189 U. S. 383, 1127
v. Probate Judge, 63 Mich. 676, 682
v. Starnes, 38 Mich. 698, 120, 386
v. Van Steinberg, 17 Mich. 99, 1163, 1168
Detroit, &c., Co. v. Detroit, 88 Mich. 347, 750
v. Crane, 50 Mich. 182, 1017, 1042
v. Grand Trunk, &c., R. Co., 2 Interst. Com. Com. R. 199, 1682, 1684
Detweiler v. Breckenkamp, 83 Mo. 45, 149
Detwiller v. Commonwealth, 131 Pa. St. 614, 18
DeValle v. Steamboat Richmond, 27 La. Ann. 90, 1654
Devalva Co., In re, L. R. 22 Ch. Div. 593, 1689l
DeVau v. Pennsylvania, &c., R. Co., 130 N. Y. 632, 1697
Devendorf v. Dickinson, 21 How. Pr. (N. Y.) 275, 537, 576
Devereux v. Barclay, 2 B. & Ald. 702, 1426, 1526
Devine v. Boston, &c., R. Co., 159 Mass. 348, 1354, 1356
v. Edwards, 101 Ill. 138, 1414
v. Savannah, &c., R. Co., 89 Ga. 541, 1297, 1314
Devitt v. Pacific, &c., R. Co., 50 Mo. 302, 1271
Devlin v. Beacon Light Co., 192 Pa. St. 188, 1096cm
v. Wabash, &c., R. Co., 87 Mo. 545, 1268
Devoe v. Ithaca, &c., Co., 5 Paige, 521, 73, 556
v. New York, &c., R. Co., 174 N. Y. 1, 202, 1796
v. New York, &c., R. Co., 63 N. J. L. 276, 1248
Devore v. St. Louis, &c., R. Co., 86 Mo. App. 429, 1301
Devoy v. St. Louis Transit Co., 192 Mo. 197, 1628a
Dewald v. Kansas City, &c., R. Co., 44 Kan. 586, 1628, 1702
Dewey v. Atlantic Coast Line, 55 S. E. 292, 930, 931a
v. Chicago, &c., R. Co., 99 Wis. 455, 1263
v. Chicago, &c., R. Co., 31 Iowa, 373, 1192, 1270
v. Chicago, &c., R. Co., 184 Ill. 426, 1096bm
v. Des Moines, 173 U. S. 193, 769
v. Detroit, &c., R. Co., 97 Mich. 329, 1290, 1301, 1327
v. St. Albans, &c., Co., 56 Vt. 476, 606
v. St. Albans, &c., Co., 57 Vt. 332, 148
v. Toledo, &c., R. Co., 91 Mich. 351, 95, 323, 373
DeWinton v. Brecon, 26 Beav. 533, 545, 546
v. Brecon, 28 Beav. 200, 583
Dewire v. Boston, &c., R. Co., 148 Mass. 343, 1630, 1630a
Dewitt v. Duncan, 46 Cal. 342, 970
DeWolf v. Mallett's Adm'r, 3 Dana (Ky.), 214, 170
v. Royal Trust Co., 173 Ill. 435, 579
Dews v. Greene, 32 Barb. 490, 1540
Dexer v. Long, 2 Wash. 435, 346
Dexter v. Syracuse, &c., R. Co., 42 N. Y. 326, 1622, 1647
v. Union Pac. R. Co., 75 Fed. 947, 567
Dexter, &c., R. Co. v. Millerd, 3 Mich. 91, 141
Dexterville, &c., Mfg. Co., In re, 4 Fed. R. 873, 577
Dey v. Anderson, 39 N. J. L. 199, 1075
v. Chicago, &c., R. Co., 45 Fed. R. 82, 652, 708
v. Jersey City, 19 N. J. Eq. 412, 257
Deyo v. New York, &c., R. Co., 34 N. Y. 9, 1584, 1635, 1644
v. Otoe County, 37 Fed. R. 246, 903
Dial v. Reynolds, 96 U. S. 340, 512
v. Valley, &c., Assn., 29 S. Car. 560, 266
Diamond v. Northern Pac. R. Co., 6 Mont. 580, 668, 1224, 1226, 1242
Diamond Joe Line v. Carter, 76 Ill. App. 470, 1463
Diamond Mills v. Railroad, 9 I. C. C. 311, 1686a
Diamond, &c., Steamers v. Davenport, &c., R. Co., 115 Ia. 480, 1040a
Diamond, &c., Co. v. Dehority 143 Ind. 381, 1290
v. Powers, 51 Mich. 145, 398
Dibble v. Brown, 12 Ga. 217, 1399, 1647, 1648, 1650, 1660
v. New York, &c., R. Co., 25 Barb. 183, 1376
Dice v. Williamette, &c., R. Co., 8 Ore. 60, 1578
Dick v. Struthers, 25 Fed. R. 103, 568
Dickenson v. Fitchburg, 13 Gray (Mass.), 147, 1037
Dickerman v. Northern Trust Co., 176 U. S. 181, 10, 11, 89, 484, 551
v. Northern Trust Co., 80 Fed. 450, 89, 110
v. St. Paul Union Depot Co., 44 Minn. 433, 199, 1601b, 1638
Dickerson v. Burlington, &c., R. Co., 43 Kan. 702, 621
v. Vernon, 77 Conn. 537, 1304
Dickey v. Chicago, 152 Ill. 468, 1010
v. Kansas City & I. R. T. Ry. Co., 122 Mo. 223, 436, 941, 946, 1611
v. Northern Pac. R. Co., 19 Wash. 350, 1213
v. Tennison, 27 Mo. 373, 952
Dickie v. Boston, &c., R. Co., 131 Mass. 516, 1263
Dickins v. New York, &c., R. Co., 23 N. Y. 158, 1367, 1372
Dickinson, Ex parte, 29 S. Car. 453, 599
Dickinson v. Atkins, 100 Ill. App. 401, 1798
v. Central Nat. Bank, 129 Mass. 279, 93, 98
v. Chesapeake, &c., R. R. Co., 7 W. Va. 390, 83
v. Consolidated Traction Co., 114 Fed. 232, 325a
v. Gay, 7 Allen (Mass.), 29, 1522
v. Inhabitants of Conway, 10 Allen, 528, 902
v. Northeastern R. Co., 2 Hurl. & Colt. 735, 1368
v. Union, &c., Co., 64 Fed. R. 895, 648

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Dickinson v. Van Wormer, 39 Mich. 141, 702, 1362
v. Wabash, &c., R. Co., 103 Mo. App. 332, 1209
v. West End St. R. Co., 177 Mass. 365, 1303a
Dickson v. Chicago, &c., R. Co., 71 Mo. 575, 471, 977, 1048
v. Great Northern, &c., R. Co., L. R. 18 Q. B. D. 176, 682
v. Merchants' Elevator Co., 44 Mo. App. 498, 1428
v. Missouri Pac. R. Co., 104 Mo. 491, 1157
v. Omaha, &c., R. Co., 124 Mo. 140, 1192, 1267, 1270, 1282
v. St. Louis, &c., R. Co., 168 Mo. 90, 946c
v. Waldron, 135 Ind. 507, 1265
Diebold v. Kentucky Trac. Co., 117 Ky. 146, 1096bg, 1096bt
v. Pennsylvania Co., 50 N. J. L. 478, 1250
Dieck v. New Orleans, &c., R. Co., 51 La. Ann. 262, 1096bq
Diedrich v. Northwestern Union R. Co., 47 Wis. 662, 1006, 1037, 1038
v. Northwestern U. R. Co., 42 Wis. 248, 977
Dieffenbach v. New York, &c., R. Co., 5 App. Div. (N. Y.) 91, 1827
Diehl v. Standard Oil Co., 57 Atl. 131, 1283
Diem v. Koblitz, 49 Ohio St. 41, 1539
Dietrich v. Hannibal, &c., R. Co., 89 Mo. App. 36, 1185, 1804
v. Murdock, 42 Mo. 279, 923, 949, 961, 998
v. Northampton, 138 Mass. 14, 1363
v. Pennsylvania, &c., Co., 71 Pa. St. 432, 200, 1576, 1593, 1595, 1598
Dietzsch v. Huidekoper, 103 U. S. 494, 654
Diffendal v. Virginia Midland R. Co., 86 Va. 459, 632
DiGiorgio, &c., Co. v. Pennsylvania R. Co., 65 Atl. 425, 1707
Dike v. Greene, 4 R. I. 285, 358
Dill v. Camden Board, 47 N. J. Eq. 421, 1085
v. Inhabitants of Wareham, 7 Metc. 438, 228, 369
v. South Carolina, &c., R. Co., 7 Rich. L. 158, 1393, 1655, 1660, 1662a
v. Wabash Valley R. Co., 21 Ill. 91, 127
Dillard v. Louisville R. Co., 2 Lea (Tenn.), 288, 1417, 1500
Dillingham v. Anthony, 73 Tex. 47, 1638, 1802
v. Blake, 32 S. W. R. (Tex.) 77, 577
v. Crank, 87 Tex. 104, 1268
v. Fields (Tex.), 29 S. W. 214, 1176
v. Hawk, 60 Fed. R. 494, 573
v. Hook, 32 Kan. 185, 880
v. Pierce (Tex.), 31 S. W. 203, 1578
v. Russell, 73 Tex. 47, 805, 813, 573, 577, 1638
v. Scales, 78 Tex. 205, 1704
v. Teeling (Tex.), 24 S. W. 1094, 1256
v. Whitaker (Tex.), 25 S. W. 723, 1243a, 1244
v. Wood, 8 Tex. Civ. App. 71, 1585
Dillon v. Barnard, 1 Holmes, 386, 497, 502
v. Connecticut River R. Co., 154 Mass. 478, 1253, 1257, 1263
v. Hudson, &c., Elec. Co., 73 N. H. 367, 1096bv
v. Kansas City, &c., R. Co., 43 Fed. R. 109, 629
v. Kansas City, &c., R. Co., 67 Kan. 687, 960, 972a
v. Oregon, &c., Ry. Co., 66 Fed. R. 622, 555
Diman v. Providence, &c., R. R. Co., 5 R. I. 130, 102
Dimes v. Grand Junction, &c., Co., 3 H. L. C. 759, 173, 681
Dimick v. Chicago, &c., R. Co., 80 Ill. 338, 1161
Dimmey v. Wheeling, &c., R. Co., 27 W. Va. 32, 1642
Dimmick v. Council Bluffs, &c., R. Co., 62 Iowa, 409, 978, 995
Dimmitt v. Hannibal, &c., R. Co., 40 Mo. App. 654, 1634
v. Kansas City, &c., R. Co., 103 Mo. 433, 1439
Dimpfel v. Ohio, &c., R. Co., 8 Rep. 641, 324
Dimpfell v. Ohio, &c., R. Co., 110 U. S. 209, 166, 511, 550
Dingley v. City of Boston, 100 Mass. 544, 972
Dininny v. New York, &c., R. Co., 49 N. Y. 546, 1651
Dinsmore v. Central R. R. Co., 19 Fed. R. 153, 167
v. Louisville, &c., R. Co., 2 Fed. R. 465, 1467
v. Louisville, &c., R. Co., 2 Flippin (U. S.), 672, 388
v. Racine, &c., R. R. Co., 12 Wis. 649, 495, 497, 498, 624
v. Tidball, 34 Ohio St. 411, 232
v. Wolber, 85 Ill. App. 152, 1802
Dintruff v. Rochester City R. Co., 57 Hun, 585, 1096cu
Dinwiddie v. Louisville, &c., R. Co., 9 Lea 309, 1589
Dinwoodie v. Chicago, &c., R. Co., 70 Wis. 160, 1194
Diphwys v. Festiniog R. Co., 2 Nev. & Mac. 73, 1678
Di Prisco v. Wilmington City R. Co. (Del.), 57 Atl. 906, 1096cq
Directors v. Kisch, L. R. 2 H. L. Cas. 99, 127, 128, 130
v. Railroad Co., 7 W. & S. (Pa.) 236, 1030
v. Wanless, L. R. 7 H. L. 12, 1160, 1171
Directors of Binghamton, &c., Co., In re, 143 N. Y. 261, 608
Dirk v. Northern, &c., R. Co., 164 Pa. St. 243, 1170
Disbrow v. Ulster, 8 Utah, 912, 1378b
Dishon v. Cincinnati, &c., R. Co., 133 Fed. 471, 655, 655a, 1298a
Dispatch Line, &c., v. Bellamy Mfg. Co., 12 N. H. 205, 206
Distilled Spirits, The, 11 Wall. 356, 226
Distilling, &c., Co. v. People, 156 Ill. 448, 337, 644
Distler v. Long Island R. Co., 151 N. Y. 424, 1632
District Attorney v. Lynn, &c., R. Co., 16 Gray (Mass.), 242, 631

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

District of Columbia v. Armes, 107 U. S. 519, 1177
v. Gallaher, 124 U. S. 505, 40
v. Washington, &c., R. Co., 4 Mackey, 214, 1092, 1096al
v. Washington, &c., R. Co., 1 Mackey (D. C.), 361, 1096ak
v. Woodbury, 136 U. S. 450, 1814
Ditberner v. Chicago, &c., R. Co., 47 Wis. 138, 668
Ditchett v. Spuyten, &c., R. Co., 67 N. Y. 425, 468, 471, 1191, 1208
Ditman, &c., Co. v. Keokuk, &c., R. Co., 91 Iowa, 416, 1464, 1652
Dix v. Akers, 30 Ind. 431, 267
v. Shaver, 14 Hun (N. Y.), 392, 928
Dixie Cigar Co. v. Southern Exp. Co., 120 N. Car. 348, 1512
Dixon v. Baldwen, 5 East, 175, 1519
v. Baltimore, &c., R. Co., 1 Mackey (D. C.), 78, 1019, 1036
v. Brooklyn, &c., R. Co., 100 N. Y. 170, 1377, 1096ap, 1096ct
v. Central R. Co., 110 Ga. 173, 1403, 1567
v. Chicago, &c., R. Co., 109 Mo. 413, 1316
v. Clow, 24 Wend. (N. Y.) 188, 1057d
v. Grand Trunk, &c., R. Co., 111 N. W. 200, 1333a
v. New England R. Co., 179 Mass. 242, 1594a, 1595
v. Northern Pac. R. Co., 3 Wash. 310, 1255
v. Richmond, &c., R. Co., 74 N. Car. 538, 1449
v. Rockwell, &c., R. Co., 75 Ia. 367, 1053
v. Western Union Telegraph Co., 68 Fed. R. 630, 1342
v. Western Union Tel. Co., 71 Fed. R. 143, 1269
v. Yates, 5 B. & Ad. 313, 1543
Dixon County v. Field, 111 U. S. 83, 845, 887, 890, 895, 897, 898, 900, 901, 908
Diabola v. Manhattan, &c., R. Co., 29 N. Y. S. R. 149, 1573
Doak v. Stahlman, Tenn. 58 S. W. 741, 110
D. Klass, &c., Co. v. Wabash R. Co., 80 Mo. App. 164, 1512, 1730
Doan v. St. Louis, &c., R. Co., 38 Mo. App. 408, 1404, 1502, 1510, 1548, 1718
Doane v. Clinton, 2 Utah, 417, 1070
v. Lake St. El. R. Co., 165 Ill. 510, 7, 996e, 1049b, 1096a
Dobbin v. Michigan, &c., R. Co., 56 Mich. 522, 1491, 1531, 1526a
v. Richmond, &c., R. Co., 81 N. C. 446, 1275, 1288
Dobbins v. Brown, 119 N. Y. 188, 1689g
v. Colorado, &c., R. Co., 19 Colo. App. 257, 790, 791
v. Higgins, 78 Ill. 440, 1062
v. Los Angeles, 195 U. S. 223, 664
v. Missouri, &c., R. Co., 91 Tex. 60, 1256, 1259
Dobson, 2 Mont. & D. (Eng. B. R.) 685, 98
Dobson v. Simonton, 78 N. C. 63, 547
v. Simonton, 86 N. Car. 492, 612
Dodd v. Consolidated Traction Co. (N. J.), 31 Atl. R. 980, 1080
v. Hartford, 25 Conn. 232, 751
v. Louisville, &c., Co., 130 Fed. 186, 655a
Dodd v. Salisbury, &c., R. Co., 1 Giff. 158, 392
Dodge v. Boston, &c., R. Co., 154 Mass. 299, 946, 1611
v. Boston, &c., R. Co., 148 Mass. 207, 1588a, 1592, 1628a, 1641
v. Burlington, &c., R. Co., 34 Iowa, 276, 1114, 1155
v. Burns, 6 Wis. 514, 1004
v. Council Bluffs, 57 Iowa, 560, 22, 956
v. County Comrs., 3 Met. (Mass.) 380, 1057
v. County of Platte, 82 N. Y. 218, 896
v. Freedman's, &c., Trust Co., 106 U. S. 445, 517
v. Memphis, 51 Fed. R. 165, 835
v. Meyer, 61 Cal. 405, 1426, 1428, 1429a
v. Omaha, &c., R. Co., 20 Neb. 276, 1003, 1023, 1025
v. Pennsylvania R. Co., 43 N. J. Eq. 351, 1049a
v. Platte, 16 Hun (N. Y.), 285, 819, 897
v. Tulleys, 144 U. S. 451, 649
v. Woolsey, 18 How. (U. S.) 331, 275, 376, 620, 634, 742, 746
Dodgson's Case, 3 De Gex & S. 85, 231
Dodson v. McCauley, 62 Ga. 130, 1359
Doe v. Boston, &c., St. R. Co., 80 N. E. 814, 1333a
v. Georgia, &c., Co., 1 Ga. 524, 950, 951
v. Iowa, &c., R. Co., 54 Iowa, 657, 779
v. North Staffordshire R. Co., 16 Q. B. 526, 954
v. St. Helen's, &c., Ry. Co., 2 Eng. Ry. & Can. Cas. 756, 496
v. St. Helena, &c., R. Co., 1 Gale & D. 663, 496
v. Wilson, 23 How. 457, 810
Doernbecher v. Columbia, &c., Co., 21 Ore. 573, 261
Doggett v. Illinois Cent. R. Co., 34 Iowa, 284, 1632
v. Richmond, &c., R. Co., 81 N. Car. 459, 1214, 1231, 1238
Doherty v. Arkansas, &c., R. Co., 5 Ind. Ter. 537, 132
v. Detroit Citizens St. R. Co., 118 Mich. 209, 1096cj
v. Metropolitan St. R. Co., 91 N. Y. S. 19, 1096cp
Doing v. New York, &c., R. Co., 73 Hun, 270, 1280
Dokan v. G. W. Chase, &c., Co., 197 Mo. 238, 1767
Dolan v. Boott Cotton Mills, 185 Mass. 576, 1796
v. Chicago, &c., R. Co., 118 Wis. 362, 954, 1057j
v. Delaware, &c., Co., 71 N. Y. 285, 1157
v. Moberly, 17 Mo. App. 436, 1689c
v. Newburgh, &c., R. Co., 120 N. Y. 571, 1208
v. New York, &c., R. Co., 175 N. Y. 367, 1049a, 1057a
Dolores, &c., Co. v. Hartman, 17 Colo. 138, 987
Dolph v. Boston, &c., R. Co., 74 Conn. 538, 1157

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Dolphin v. Pedley, 27 Wis. 469, 1041
v. Worcester, &c., St. R. Co., 189 Mass. 270, 1831
Dolsen v. Brown, 13 La. Ann. 551, 1538
Dolson v. Lake Shore, &c., R. Co., 128 Mich. 444, 1361a
Dompier v. Lewis, 131 Mich. 144, 1278a
Don v. Lippmann, 5 Cl. & F. 1, 1494
Donahoe v. London, &c., R. Co., 15 W. R. 772, 1466
v. Old Colony R. Co., 153 Mass. 356, 1356
v. Wabash, &c., R. Co., 83 Mo. 543, 1257
Donahue v. Drexler, 82 Ky. 157, 1376
v. Lake Superior, &c., R. Co., 155 U. S. 386, 805
Donald v. American, &c., Co., 62 N. J. Eq. 729, 89, 110
v. Chicago, &c., R. Co. (Iowa), 61 N. W. R. 971, 1380, 1386
v. Scott, 67 Fed. R. 854, 1663
v. St. Louis, &c., R. Co., 44 Iowa, 157, 1188, 1239
v. St. Louis, &c., R. Co., 52 Iowa, 411, 416, 1025, 1048
v. Western, &c., R. Co., 34 N. Y. 497, 1452
Donaldson v. Jude, 2 Bibb (Ky.), 57, 383
v. Mississippi, &c., R. Co., 18 Iowa, 280, 1378, 1378a
v. New York, &c., R. Co., 188 Mass. 484, 1368
Dond v. Guthrie, 13 Ill. App. 653, 1017
Donegan v. Erhardt, 119 N. Y. 468, 1181, 1192, 1270, 1586
Donisthorpe v. Fremont, &c., R. Co., 30 Neb. 142, 939, 945, 994a
Donk Bros., &c., Co. v. Thil, 228 Ill. 233, 1815
Donley v. Dougherty, 174 Ill. 582, 1295
Donnelly v. Boston, &c., R. Co., 151 Mass. 210, 1166
v. Brooklyn, &c., R. Co., 109 N. Y. 16, 1152
v. Brooklyn, 121 N. Y. 9, 1007
v. Hufschmidt, 79 Cal. 74, 1820
v. People, 11 Ill. 552, 644
v. West, 17 Hun (N. Y.), 564, 73
Donner v. Palmer, 23 Cal. 40, 1017, 1046
Donohoe v. London, &c., R. Co., 15 Week. R. 792, 1520
v. Mariposa, &c., Co., 66 Cal. 317, 618
Donohue v. Brooklyn, &c., R. Co., 14 N. Y. Supp. 639, 1296
v. St. Louis, &c., R. Co., 91 Mo. 357, 1158, 1166, 1175
Donora Southern R. Co. v. Pennsylvania R. Co., 213 Pa. St. 119, 632
Donovan v. Boston, &c., R. Co., 158 Mass. 450, 1689i
v. Campagnie, &c., 39 N. Y. Super. Ct. 519, 1709
v. Hannibal, &c., R. Co., 89 Mo. 147, 1180, 1209
v. Hartford, &c., R. Co., 65 Conn. 201, 1096cs, 1581, 1689f, 1689h, 1697
v. Lynn, &c., R. Co., 185 Mass. 533, 1096cp
v. Oakland, &c., Co., 102 Cal. 245, 1063, 1096cc
Donovan v. Pennsylvania Co., 199 U. S. 279, 33, 200, 1391, 1662d, 1678
v. Pennsylvania Co., 120 Fed. 215, 1678
v. Springfield, 125 Mass. 371, 988, 989
v. Standard Oil Co., 155 N. Y. 112, 1507
v. Texas, &c., R. Co., 64 Tex. 519, 200
Donworth v. Coolbaugh, 5 Iowa, 300, 60
Doolan v. Carr, 125 U. S. 618, 795, 798
Dooley v. Greenfield, &c., St. R. Co., 184 Mass. 204, 1096cj
Doolittle, In re, 23 Fed. R. 544, 575
Doolittle v. Branford, 59 Conn. 402, 671, 682, 1109
v. Broome Co., 18 N. Y. 155, 751a
v. Southern R. Co., 62 S. C. 130, 1096cz, 1644
Dooly Block v. Salt Lake, &c., Co., 9 Utah, 31, 630, 1083, 1087, 1088, 1089, 1096ao
Doon Township v. Cummins, 142 U. S. 366, 845, 913
Dooner v. Delaware, &c., R. Co., 164 Pa. St. 17, 1279, 1315f
v. Delaware, &c., R. Co., 171 Pa. St. 581, 1296, 1314
Doran v. Cedar Rapids, &c., R. Co., 117 Ia. 442, 1096cn
v. Central Pacific R. Co., 24 Cal. 245, 1025
v. Chicago, &c., R. Co., 73 Iowa, 115, 1209
Dorenbecker v. Columbia C. L. Co., 21 Ore. 573, 289
Dorlan v. East Brandywine, &c., R. Co., 46 Pa. St. 520, 994, 1037
Dorman v. Ames, 12 Minn. 451, 1057d, 1584
v. Jacksonville, &c., R. Co., 7 Fla. 265, 123
Dorn v. Georgia, &c., R. Co., 58 S. Car. 364, 1763
Dorr v. New Jersey, &c., Co., 11 N. Y. 485, 1454, 1501, 1496
Dorr Cattle Co. v. Chicago, &c., R. Co., 128 Ia. 359, 1547, 1549b
Dorris v. French, 4 Hun (N. Y.), 292, 12, 275
v. Sweeney, 60 N. Y. 463, 102, 175
Dorsey v. Louisville, &c., R. Co., 80 S. W. 1131, 1252
v. Phillips, &c., Construction Co., 42 Wis. 583, 1269
v. St. Louis, &c., R. Co., 58 Ill. 65, 945
Dorwin v. Westbrook, 86 Hun, 363, 1059
Doss v. Missouri, &c., R. Co., 59 Mo. 27, 1256, 1578, 1628, 1628c
Doster v. Charlotte St. R. Co., 117 N. C. 651, 1096cn, 1264
Dotson v. Erie Railroad Co., 68 N. J. L. 679, 1590, 1641
Doty v. Chicago, &c., R. Co., 49 Minn. 499, 1377
First Nat. Bank, 3 N. Dak. 9, 92, 98
v. Michigan Cent. R. Co., 8 Abb. Pr. (N. Y.), 427, 621
v. Strong, 1 Pin. (Wis.) 313, 1691
Doud, The Reuben, 46 Fed. R. 800, 1535
Doud v. Mason City, &c., R. Co., 76 Iowa, 438, 994, 1036, 1057
v. Wisconsin, &c., Ry. Co., 65 Wis. 108, 165, 620

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Dougan v. Champlain Transportation Co., 56 N. Y. 1, 1177, 1274
Dougherty v. Missouri Pac. R. Co., 9 Mo. App. 478, 1644
v. Missouri R. Co., 97 Mo. 647, 1096cg
v. Missouri, &c., R. Co., 81 Mo. 325, 1583
v. Wabash, &c., R. Co., 19 Mo. App. 419, 629, 930, 973
v. Yazoo R. Co., 84 Miss. 502, 1630a
Doughty v. Atlantic City, &c., Trac. Co., 71 N. J. L. 131, 1042
v. Minneapolis, &c., R. Co., 107 N. W. 971, 799
v. West Superior, &c., Co., 88 Wis. 343, 1283, 1304
v. Somerville, &c., R. Co., 21 N. J. Law, 442, 930, 1022, 1027, 1029
Douglas v. Chatham, 41 Conn. 211, 814
v. Chicago, &c., R. Co., 100 Wis. 405, 1697
v. Fargo, 13 N. Dak. 467, 752
v. Indianapolis, &c., Traction Co., 76 N. E. 892, 1003b, 1035a, 1052, 1096bm
v. Niantic, &c., Bank, 97 Ill. 228, 881
v. People's Bank, 86 Ky. 176, 1415, 1428, 1429, 1523
v. Richmond, &c., R. Co., 106 N. Car. 65, 647
v. Sioux City St. R. Co. 91 Iowa, 94, 1178, 1831
v. Texas, &c., R. Co., 63 Tex. 564, 1323
Douglas Co. v. Bolles, 94 U. S. 104, 323, 848
Douglass v. Byrnes, 63 Fed. R. 16, 1017, 1046
v. Cline, 12 Bush (Ky.), 608, 528
v. Harrisville, 9 W. Va. 162, 751
v. Ireland, 73 N. Y. 100, 91, 110, 111
v. Montgomery, &c., R. Co., 37 Ala. 638, 1660
v. New York, &c., R. Co., Clarke's Ch. (N. Y.) 174, 941
v. Phenix Ins. Co., 138 N. Y. 209, 624
v. Pike, 101 U. S. 677, 768, 849, 896, 898, 915
v. Wells, 57 How. Pr. R. 378, 412
Dousman v. Wisconsin, &c., R. R. Co., 40 Wis. 418, 320
Douthit v. Mohr, 116 Ind. 482, 505
Douthitt v. Stinson, 63 Mo. 268, 409
Douyette v. Nashau, St. R. Co., 69 N. H. 625, 1844
Dow v. Beidelman, 125 U. S. 680, 659, 679, 691, 776, 1560, 1662c, 1678, 1684b
v. Beidelman, 49 Ark. 325, 525, 531, 669, 679, 691, 715
v. Gould, &c., Min. Co., 31 Cal. 629, 310
v. Iowa Central R. Co., 70 Hun. 186, 532, 534
v. Kansas City So. R. Co., 116 Mo. App. 555, 1193
v. Kansas, &c., R. Co., 8 Kan. 642, 1768
v. Memphis, &c., R. Co., 20 Fed. R. 260, 505, 514, 528, 544, 545, 571, 577
v. Memphis, &c., R. Co., 17 Am. & Eng. R. Cas. 324, 544
Dow v. Memphis, &c., R. R. Co., 124 U. S. 652, 501, 528
v. Norris, 4 N. H. 16, 889
v. Northern R. Co., 67 N. H. 1, 59
v. Portland, &c., R. Co., 84 Me. 490, 1548
v. Syracuse, &c., R. Co., 81 App. Div. (N. Y.) 362, 1604
Dowd v. Boston, &c., R. Co., 162 Mass. 185, 1329
v. New York, &c., R. Co., 170 N. Y. 459, 1288a
Dowdell v. Wilcox, 64 Ia. 721, 1704
Dowell v. Burlington, &c., R. Co., 62 Iowa, 629, 1376, 1697
v. Griswold, 5 Sawy. (U. S. C. C.) 39, 652
v. Vicksburg, &c., Ry. Co., 61 Miss. 519, 1314
Dowie v. Chicago, &c., R. Co., 214 Ill. 49, 921, 927, 973, 991a, 1025, 1030a, 1030b, 1053
Dowling v. Hudson, 14 Beav. 423, 556
v. N. Y., &c., R. Co., 90 N. Y. 670, 1261
Downey v. Chesapeake, &c., R. Co., 28 W. Va. 732, 1632, 1802
v. Hendrie, 46 Mich. 498, 1096cz, 1630, 1689h
v. Philadelphia, &c., R. Co., 161 Pa. St. 588, 1132, 1135, 1178
Downie v. Hoover, 12 Wis. 174, 145
v. White, 12 Wis. 176, 126, 131
Downing v. Alexandria, 10 Wall. 173, 1671
v. Chicago, &c., R. Co., 43 Iowa 96, 1208
v. DesMoines, &c., R. Co., 63 Iowa, 177, 1050
v. Dunlap, &c., Ry. Co., 93 Tenn. 221, 550
v. Mount Washington Road Co., 40 N. H. 230, 341, 374
v. Potts, 23 N. J. Law, 66, 152, 157
v. Railway Co., 41 S .W. 191, 1629
Downs v. New York, &c., R. Co., 36 Conn. 287, 200, 1594, 1600
v. New York, &c., R. Co., 47 N. Y. 83, 1689i
Dows v. Chicago, 11 Wall. 108, 871
v. Greene, 24 N. Y. 638, 1428, 1523
v. Milwaukee Bank, 91 U. S. 618, 1523
v. Naper, 91 Ill. 44, 78
v. Nat. Ex. Bank, 91 U. S. 618, 1426, 1427, 1429, 1535
v. Perrin, 16 N. Y. 325, 1426, 1428, 1429
v. Town of Elmwood, 34 Fed. R. 114, 843
Doyle v. Boston, &c., R. Co., 145 Mass. 386, 1689g
v. Boston, &c., R. Co., 82 Fed. 869, 1839, 1840
v. Continental Ins. Co., 94 U. S. 535, 29, 773
v. Fitchburg, &c., R. Co., 162 Mass. 66, 1303a, 1578, 1604, 1606, 1608, 1609
v. Great Northern R. Co., 86 Pac. 861, 1314
v. Kiser, 6 Ind. 242, 1647, 1649a
v. Manhattan R. Co., 128 N. Y. 488, 1038
v. Mizner, 42 Mich. 332, 262

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Doyle v. New York, &c., R. Co., 72 N. Y. S. 936, 1376
v. Phoenix Ins. Co., 44 Cal. 264, 505
v. Railroad Co., 126 Fed. 841, 1510
v. St. Paul, &c., R. Co., 42 Minn. 79, 1267, 1268
v. Union Pac. R. Co., 147 U. S. 413, 1267a
v. West End St. R. Co., 161 Mass. 533, 1095, 1096cq
v. White, &c., R. Co., 35 N. Y. S. 760, 1274
D. R. Martin, The, 11 Blatch. C. C. 233, 200, 1453
Drady v. Des Moines, &c., R. Co., 57 Iowa, 393, 978, 1048
Drain v. St. Louis, &c., R. Co., 86 Mo. 574, 1162
Drainage Comm. v. Illinois Cent. R. Co., 158 Ill. 361, 5
Drake v. Chicago, &c., R. Co., 63 Iowa, 302, 977
v. Chicago, &c., R. Co., 51 Mo. App. 562, 1166, 1171
v. Gilmore, 52 N. Y. 389, 1367, 1372
v. Hudson River R. Co., 7 Barb. (N. Y.) 508, 191
v. Kiely, 93 Pa. St. 492, 213
v. Lake Shore, &c., R. Co., 69 Mich. 168, 624, 627
v. New York, &c., R. Co., 80 Hun, 490, 1286
v. New York, &c., R. Co., 50 N. Y. S. 826, 328
v. Pennsylvania R. Co., 137 Pa. St. 352, 1576
v. Philadelphia, &c., Co., 51 Pa. St. 240, 1180
v. Phillips, 40 Ill. 388, 782
v. San Antonio, &c., R. Co., 89 S. W. 407, 1278a
v. Union Pacific R. Co., 2 Idaho, 453, 1297
Draper v. Delaware, &c., Canal Co., 118 N. Y. 118, 1711
v. Springport, 104 U. S. 501, 836, 895b
v. Williams, 2 Mich. 536, 934
Drath v. Burlington, &c., R. Co., 15 Neb. 367, 930, 1033, 1045
Drea v. Carrington, 32 Ohio St. 595, 1371
Drefahl v. Connell, 85 Wis. 109, 1689d
Dreisbach v. Price, 133 Pa. 560, 185
Dresser v. Canadian Pac. R. Co., 116 Fed. 281, 1596
v. Norwood, 17 C. B. N. S. 466, 226
Drew, The, 15 Fed. R. 826, 1526
Drew v. Central, &c., R. Co., 51 Cal. 425, 1576, 1592, 1593, 1595
v. Comstock, 57 Mich. 176, 220
v. Hilliker, 56 Vt. 641, 713
v. Sixth Ave. R. Co., 26 N. Y. 49, 1096cs
v. Van Deman, 6 Heisk. 433, 360
Dreyer v. Illinois, 187 U. S. 71, 677
Dreyfus v. Mayer, 69 Miss. 282, 1538
Drhew v. Altoona City, 121 Pa. St. 401, 1059
Driggs v. State, 55 S. E. 179, 717
Drinkhouse v. Spring Valley, &c., Co., 80 Cal. 308, 623
Drinkwater v. Dinsmore, 80 N. Y. 390, 1810
v. Portland, &c., R. Co., 18 Me. 35, 188
Driscoll v. Chicago, &c., R. Co., 97 Ill. App. 668, 1327a
Driscoll v. Fall River, 163 Mass. 105, 1338
v. Fiske, 21 Pick. (Mass.) 503, 495, 1505
v. Market St., &c., R. Co., 97 Cal. 553, 1096ce, 1096cj
v. Norwich, &c., R. Co., 65 Conn. 230, 467, 470
v. West Bradley, &c., Co., 59 N. Y. 96, 99
Driver v. Southern R. Co., 103 Va. 650, 1795
v. Western Un. R. Co., 32 Wis. 569, 985, 988, 992, 995, 996
Drohan v. Lake Shore, &c., R. Co., 162 Mass. 435, 1377, 1697
Dronberger v. Reed, 11 Ind. 420, 820
Dronefield, &c., Co., In re, L. R. 17 Ch. Div. 76, 176
Drouin v. Boston, &c., R. Co., 74 Vt. 343, 1046a, 1052
Drucker v. Manhattan R. Co., 106 N. Y. 157, 1056a
Drummond's Case, L. R. 4 Ch. Ap. 772, 91, 110
Drummond v. Southern Pac. R. Co., 7 Utah, 118, 1593, 1596, 1599
Drury v. Boston, 101 Mass. 439, 1032
v. Cross, 7 Wall. 299, 275, 529
v. Foster, 2 Wall. 24, 409
v. Midland R. Co., 127 Mass. 571, 672, 926, 977, 982, 994, 1000, 1001, 1006, 1025, 1036, 1048, 1049c
Druse v. Wheeler, 22 Mich. 439, 421
Dryden v. Grand Trunk R. Co., 60 Me. 512, 461, 1595
v. Pennsylvania R. Co., 211 Pa. St. 620, 1174
v. Pittsburgh, &c., R. Co., 208 Pa. St. 316, 969
Dry Dock, &c., R. Co. v. North & East River Ry. Co. (Com. Pl. N. Y.) 22 N. Y. S. 556, 616, 617
Dryer v. Brown, 52 Hun (N. Y.), 321, 1700
Duame v. Chicago, &c., R. Co., 72 Wis. 523, 1153
Dubach v. Hannibal, &c., R. Co., 89 Mo. 483, 1080, 1089
Dubbs v. Philadelphia, &c., R. Co., 148 Pa. St. 66, 1143
Dube v. Lewiston, 83 Me. 211, 1329
v. The Queen, 3 Can. Exch. 147, 1587
Dubiven v. City, &c., R. Co., 44 Ore. 227, 1096cp
Dublin Corp. v. Attorney-General, 9 Bligh N. S. 395, 341
Dublin, &c., R. Co. v. Black, 8 Ex. 181, 93, 107
v. Navan, &c., R. Co., 5 Ir. Rep. (Eq. Ser.) 393, 964
v. Slattery, L. R. 3 App. Cas. 1155, 1096cf, 1158, 1173, 1689h
Dubois v. Kingston, 102 N. Y. 219, 1177
Dubois Traction Co. v. Buffalo, C. & P. Ry. Co., 149 Pa. St. 1, 8, 1135, 1178
DuBois, &c., R. Co. v. Buffalo, &c., R. Co., 10 Pa. Co. Ct. R. 401, 1178
DuBoise v. New York, &c., R. Co., 88 Hun, 10, 1160
DuBreuil v. Pennsylvania Co., 130 Ind. 137, 623
Dubuque v. Chicago, &c., Co., 47 Iowa, 201, 736, 738
v. Illinois, &c., Co., 39 Iowa, 56, 1058, 738, 741, 755

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Dubuque County v. Dubuque, &c., R. Co., 4 G. Greene (Iowa), 1, 818
Dubuque, &c., Asso. v. Dubuque, 30 Ia. 176, 1457a
Dubuque, &c., R. Co. v. Crittenden, 5 Iowa, 514, 1053
v. Des Moines, &c., R. Co., 54 Iowa, 89, 808
v. Diehl, 64 Iowa, 635, 1003
v. Litchfield, 23 How. 66, 433, 798, 810
Ducat v. Chicago, 10 Wall. 410, 766, 778
Duck v. St. Louis, &c., R. Co., 63 S. W. 891, 1839
Duck River Valley, &c., R. Co. v. Cochrane, 3 Lea (Tenn.), 478, 401, 926, 938, 973
Ducktown, &c., Co. v. Barner, 60 S. W. 593, 1239
Duckworth v. Johnson, 4 Hurl. & N. 653, 1367, 1372
Dudley v. Camden, &c., Co., 42 N. J. L. 25, 1550
v. Chicago, &c., R. Co., 58 W. Va. 604, 1523, 1571
v. Front St. &c., R. Co., 73 Fed. R. 128, 1096cy, 1402, 1628
v. Illinois Cent. R. Co., 96 S. W. 835, 650a, 653
v. Mayhew, 3 N. Y. 9, 702, 1362
v. Minnesota, &c., R. Co., 77 Iowa, 408, 1036b, 1037
v. Price, 10 B. Mon. (Ky.) 84, 613
v. Smith, 1 Camp. 167, 1535, 1627a
v. Toledo, &c., R. Co., 65 Mich. 655, 1058, 1065, 1068, 1073
Duell v. Railway Co., 115 Wis. 516, 1590a
Duff v. Alleghany, &c., R. Co., 91 Pa. St. 458, 1253, 1255, 1573, 1581
v. Budd, 3 B. & Bing. 177, 1406, 1426, 1517, 1523, 1535
v. Carrier, 55 Fed. R. 433, 518
v. Great Northern R. Co., L. R. 4 Ir. 178, 1608
Duffee v. Portland, &c., R. Co., 52 N. H. 430, 1467
Duffield v. Barnum, &c., Works, 64 Mich. 293, 132, 176
Duffy v. Chicago, &c., R. Co., 32 Wis. 269, 1156
v. Gleason, 26 Ind. App. 180, 1096bn
v. New York, &c., R. Co., 2 Hilton (N. Y.), 496, 416
v. St. Louis, &c., R. Co., 104 Mo. App. 235, 1812
v. Thompson, 4 E. D. Smith (N. Y.), 178, 1647
v. Upton, 113 Mass. 544, 1301
Dufur v. Boston, &c., R. Co., 75 Vt. 165, 1639
Dugan v. Chicago, &c., R. Co., 85 Wis. 609, 1704
v. Pullman, &c., Co., 2 Tex. App. (Civil Cases) 607, 1622
v. St. Paul, &c., R. Co., 40 Minn. 544, 1155, 1757
Duggan v. Baltimore, &c., R. Co., 195 Pa. St. 248, 1265, 1638
v. New England R. Co., 172 Mass. 337, 1850
v. Peoria, &c., R. Co., 42 Ill. App. 536, 1201
Dugger v. Mechanics, &c., Co., 95 Tenn. 245, 30
Duke v. Brown, 96 N. Car. 127, 485, 895
v. Cahawba Nav. Co., 10 Ala. 82, 98
Duke v. Great Western R. Co., 14 U. C. Q. B. 377, 1594
v. Great Western R. Co., 14 Upper Can. Q. B. 369, 200
v. Markham, 105 N. C. 131, 164, 492
v. Postal Tel. Cable Co., 71 S. Car. 95, 1774
v. Rhode Island, &c., Works, 11 R. I. 599, 625
v. Taylor, 37 Fla. 64, 22, 164, 190
Duke of Buccleuch v. Metropolitan Board of Works, L. R. 5 Exch. 221, 996
Dukes v. Eastern, &c., R. Co., 41 Hun, 705, 1271
v. Working, 93 Ind. 501, 1010
Dulaney v. United R., &c., Co. (Md.) 65 Atl. 45, 1096bl
DuLaurans v. First Division, &c., R. Co., 15 Minn. 49, 1603, 1823
Dulieu v. White, 70 L. J. (K. B. Div.) 837, 1817
Dulin v. McCaw, 39 W. Va. 721, 1365
Duling v. Philadelphia, &c., R. Co., 66 Md. 120, 1593, 1596, 1598
Dull v. Cleveland, &c., R. Co., 21 Ind. App. 571, 1175, 1261, 1689h
Dullea v. Chicago, &c., R. Co., 86 Wis. 173, 1164
Duluth v. Duluth St. R. Co. (Minn.) 62 N. W. R. 267, 1092
v. Mallett, 43 Minn. 204, 231, 1082
Duluth Inv. Co. v. Wirt, 63 Minn. 538, 111a
Duluth, &c., R. Co. v. Northern Pac. R. Co., 51 Minn. 218, 977
v. St. Louis, 179 U. S. 302, 770
v. West, 51 Minn. 163, 994
Dumas v. Stone, 65 Vt. 442, 1288
Dumesnil v. Dupont, 18 B. Mon. (Ky.) 800, 631
Dumville v. Ashbrooke, 3 Rus. 99, 549
Dun v. Seaboard, &c., R. Co., 78 Va. 645, 1633
Dunbar v. Boston, &c., R. Co., 110 Mass. 26, 1526, 1535
v. Central Vt. R. Co., 65 Atl. 528, 1788
v. McGill, 64 Mich. 676, 1309
v. Old Colony St. R. Co., 188 Mass. 180, 1096bl
v. Port Royal, &c., R. Co., 36 S. Car. 110, 1435, 1694, 1706
v. Railway Co., 62 S. Car. 414, 1423
Dunbeth, The, L. R., (1897) P. 133, 1457a
Duncan v. Atchison, &c., R. Co., 6 I. C. C. 85, 1675, 1878
v. Atchison, &c., R. Co., 4 Interst. Com. R. 385, 1675, 1678, 1686
v. Atlantic, &c., R. R. Co., 4 Hughes, 125, 522
v. Bateman, 23 Ark. 327, 1061
v. Gegan, 101 U. S. 810, 656
v. Hayes, 22 N. J. Eq. 25, 631
v. Jaudon, 15 Wall. (U. S.) 165, 94
v. Maine Cent. R. Co., 113 Fed. 508, 1608
v. Mayor, 8 Bush (Ky.), 98, 874
v. Missouri, &c., R. Co., 46 Mo. App. 198, 1166
v. Mobile, &c., R. Co., 3 Woods (U. S.), 597, 515, 521, 534
v. Mobile, &c., R. Co., 2 Woods (U. S. C. C.), 542, 500
v. Rome St. R. Co., 99 Ga. 98, 1096ce

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Duncan v. St. Louis, &c., R. Co., 91 Mo. 67, 1190
v. State, 29 Fla. 439, 730, 733
v. United States, 7 Pet. 435, 1663
Duncomb v. New York, &c., Co., 88 N. Y. 1, 251, 275, 276, 285, 355, 375, 381, 484, 527, 529, 604
v. New York, &c., R. Co., 84 N. Y. 190, 275, 527
Dundas v. Desjardins Canal Co., 17 Grant's Ch. (Upper Can.) 27, 502, 503
v. Lansing, 75 Mich. 499, 1177
Dunham v. Boston, &c., R. Co., 70 Me. 164, 1451
v. Cincinnati, &c., R. R. Co., 1 Wall. (U. S.) 254, 487, 497, 498, 500
v. Hyde Park, 75 Ill. 371, 961
v. Isett, 15 Iowa, 284, 490, 495, 626
v. Williams, 36 Barb. (N. Y.) 136, 972
Dunkirk Colliery Co. v. Manchester, &c., R. Co., 2 Nev. & Mac. 402, 1566
Dunlap v. Chicago, &c., R. Co., 151 Ill. 409, 450
v. International, &c., Co., 98 Mass. 371, 1647, 1660
v. Mt. Sterling, 14 Ill. 251, 1053
v. Richmond, &c., R. Co., 81 Ga. 136, 1297
v. Steamboat Reliance, 2 Fed. R. 249, 1585
v. Toledo, &c., R. Co., 50 Mich. 470, 967, 1000, 1023, 1049
v. Toledo, &c., R. Co., 46 Mich. 190, 956, 1000, 1054
Dunlavy v. Chicago, &c., R. Co., 66 Iowa, 435, 1701
Dunleith, &c., Co. v. Dubuque, 32 Iowa, 427, 744
Dunlop v. Lambert, 6 Cl. & Fin. 600, 1414, 1692
Dunn v. Cass Ave., &c., R. Co., 98 Mo. 652, 1096cb
v. Cass Ave., &c., R. Co., 21 Mo. App. 188, 1096cd
v. Charleston, Harper (S. Car.), Law. 189, 952
v. Chicago, &c., R. Co., 58 Iowa, 674, 1185
v. Chicago, &c., R. Co., 107 N. W. 616, 1344
v. Grand Trunk, &c., R. Co., 58 Me. 187, 1585, 1629, 1631
v. Great Falls, 13 Mont. 58, 845
v. Hannibal, &c., R. Co., 68 Mo. 268, 1443, 1552, 1553, 1743
v. Howe, 107 Fed. 849, 155
v. Kyle, 14 Bush. (Ky.) 134, 279
v. North, &c., Co., 24 Mo. 493, 790, 1066
v. Oregon Short Line R. Co., 28 Utah, 478, 1301a
v. Oregon University, 9 Ore. 357, 16
v. Wilmington, &c., R. Co., 124 N. Car. 252, 1264
v. Wilmington, &c., R. Co., 126 N. Car. 343, 1851
Dunne v. New York, &c., R. Co., 99 App. Div. (N. Y.) 571, 1578a
Dunnigan v. Chicago, &c., R. Co., 18 Wis. 28, 1198
Dunning v. Bond, 38 Fed. R. 813, 1166
v. Lake Erie, &c., R. Co., 77 N. E. 1049, 1628b
Dunphy v. Erie, &c., R. Co., 42 N. Y. Super. Ct. 128, 1595, 1602
Dunphy v. St. Joseph, &c., Co., 118 Mo. App. 506, 1314, 1697
Dunseth v. Wade, 3 Ill. 285, 1440, 1490, 1516
Dunsmore v. Central R. Co., 72 Iowa, 182, 418, 631, 718
Dunson v. New York, &c., R. Co., 3 Lans. 265, 1457, 1488
Dunston v. Imperial Gas Light Co., 3 Barn. & Adol. 125, 195, 272
Duntley v. Boston, &c., R. Co., 66 N. H. 263, 1491, 1504, 1510, 1556, 1731
Dupee v. Boston Water-Power Co., 114 Mass. 37, 95, 342, 424
v. Chicago, &c., Co., 117 Fed. 40, 103
DuPont v. Northern Pacific R. Co., 18 Fed. R. 467, 167
v. Tilden, 42 Fed. R. 87, 79, 110
Dupuis v. Chicago, &c., R. Co., 115 Ill. 97, 985, 994, 995, 1036
Du Puy v. Transportation, &c., R. Co., 82 Md. 408, 550
Durach's Appeal, 62 Pa. St. 491, 741
Durant v. Lexington, &c., Mining Co., 97 Mo. 62, 1315
Durbin v. Oregon, &c., R. Co., 17 Ore. 5, 1166
Durfee v. Old Colony, &c., R. Co., 5 Allen (Mass.), 230, 161, 252, 312
v. Peoria, &c., R. Co., 140 Ill. 435, 931
v. Union Pac. R. Co., 9 Utah, 213, 1637
Durgin v. American Exp. Co., 66 N. H. 277, 1417, 1491, 1502, 1510
v. Dyer, 68 Me. 143, 383
Durgy Cement, &c., Co. v. O'Brien, 123 Mass. 13, 1539
Durham v. Lewiston, 4 Me. 140, 950
v. Monumental, &c., Co., 9 Ore. 41, 1690
v. Southern R. Co., 121 Fed. 894, 938b
v. State, 117 Ind. 477, 712
v. Wilmington, &c., R. Co., 82 N. Car. 352, 1204, 1214
Durham County v. Blackwell, &c., Co., 116 N. Car. 441, 741a
Durham, &c., R. Co. v. Bullock Church, 104 N. Car. 525, 1036, 1037
v. Richmond, &c., R. Co., 106 N. C. 16, 1028
v. Richmond, &c., R. Co., 104 N. C. 673, 677
Durkee v. Central Pac. R. Co., 56 Cal. 388, 1822
v. Central Pacific, &c., Co., 69 Cal. 533, 218, 1689i
v. Janesville, 28 Wis. 464, 669
v. People, 155 Ill. 354, 191, 193
v. President, &c., Co., 88 Hun, 471, 1166, 1174
Durkin v. Sharp, 88 N. Y. 225, 577
Dusenbury v. Mayor, &c., 25 N. J. Eq. 295, 751
Dutcher v. Marine Nat. Bank, 12 Blatchf. (U. S.) 435, 187
Dutchess, &c., Co. v. Davis, 14 Johns. (N. Y.) 238, 175
v. Hachfield, 73 N. Y. 226, 484
Dutchess, &c., R. Co. v. Mabbett, 58 N. Y. 397, 18, 36, 102, 103
Dutenhofer v. Adirondack Ry. Co., 14 N. Y. Sup. 558, 534
Dutro v. Metropolitan St. R. Co., 111 Mo. App. 258, 1795
Dutton v. Solomonson, 3 B. & P. 582, 1426

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Duval v. Atlantic Coast, &c., R. Co., 134 N. C. 331, 1174
v. Hunt, 34 Fla. 85, 1350, 1368
v. Pullman, &c., R. Co., 62 Fed. R. 265, 1621
Duval County Commissioners v. Jacksonville (Fla.), 29 L. R. A. 416, 1076
Duvall v. Michigan, &c., R. Co., 105 Mich. 386, 1179l
Duvenick v. Missouri, &c., R. Co., 57 Mo. App. 550, 1553
Duvergier v. Fellows, 5 Bing. 248, 15
Duyckinck v. New York Elev. R. Co., 125 N. Y. 710, 996, 1056a
Dwight v. Brewster, 1 Pick. 50, 1406, 1411
v. Elmira, &c., R. Co., 132 N. Y. 199, 1239
v. Springfield, 6 Gray (Mass.), 442, 1042
v. Springfield, 4 Gray, 107, 858
Dwinelle v. New York, &c., R. Co., 120 N. Y. 117, 1096dc, 1320, 1578, 1592, 1618, 1625, 1638, 1640
Dwyer v. American Exp. Co., 82 Wis. 307, 1768
v. Chicago, &c., R. Co., 84 Ia. 479, 1359, 1378a
v. Gulf, &c., R. Co., 69 Tex. 707, 1532
v. Hackworth, 57 Tex. 245, 872
Dyche v. Vicksburg, &c., R. Co., 79 Miss. 361, 1581a
Dyck v. McQuade, 86 N. Y. 38, 279
Dye v. Delaware, &c., R. Co., 130 N. Y. 671, 1796
v. Virginia, &c., Co., 9 Mackey, 63, 216, 1447, 1689h
Dyer v. Baltimore, 140 Fed. 880, 1019
v. Cincinnati, P. & V. Ry. Co., 7 Ohio Cir. Ct. R. 255, 630
v. Erie, &c., R. Co., 71 N. Y. 228, 1156
v. Grand Trunk R. Co., 42 Vt. 441, 1558, 1570, 1572, 1708, 1709
v. Great Northern R. Co., 51 Minn. 345, 1523, 1692
v. Jones, 8 Vt. 205, 1060
v. Maine Cent. R. Co., 99 Me. 195, 1234
v. Placer, 90 Cal. 276, 729
v. St. Paul, 27 Minn. 457, 977, 1005
v. Walker, 40 Pa. St. 157, 48
Dyer County v. Chesapeake, &c., R. Co., 87 Tenn. 712, 533, 1105, 1107, 1112
Dyerson v. Union Pac. R. Co., 87 Pac. 680, 1298
Dygert v. Schenck, 23 Wend. (N. Y.) 446, 714
Dyke v. Erie, &c., R. Co., 45 N. Y. 113, 1494, 1506
Dymock v. Missouri, &c., R. Co., 54 Mo. App. 400, 1429, 1541
Dynen v. Leach, 26 L. J. (N. S.) Exch. 221, 1271
Dysart v. Missouri, &c., R. Co., 122 Fed. 228, 1581
Dysinger v. Cincinnati, &c., R. Co., 93 Mich. 646, 1285
Dyson v. New York, &c., R. Co., 57 Conn. 9, 1153, 1155, 1160

E.

Eachus v. Los Angeles, &c., R. Co., 103 Cal. 614, 978, 1096d
Eads v. Metropolitan, &c., R. Co., 43 Mo. App. 536, 1096dc, 1265, 1577, 1591, 1637, 1638
Eagan v. Montana Cent. R. Co., 24 Mont. 569, 1248
Eagen v. Forty Second St. R. Co., 4 N. Y. S. 30, 1096cc
Eagle v. Kohn, 84 Ill. 292, 259, 836, 908
v. White, 6 Whart. (Pa.) 505, 1393, 1517, 1520
Eagle Chair Co. v. Kelsey, 23 Kan. 632, 62
Eagle Ins. Co., Ex parte, 4 K. & J. 549, 259
Eakins v. American White Bronze Co., 75 Mich. 568, 251
Eakright v. Logansport, &c., R. R. Co., 13 Ind. 404, 18, 36, 136, 615
Eames v. Boston, &c., R. Co., 14 Allen (Mass.), 151, 1200, 1209
v. Salem, &c., Co., 98 Mass. 560, 1180, 1184
v. Texas, &c., R. Co., 63 Tex. 660, 1192, 1269
v. Worcester, &c., R. Co., 105 Mass. 193, 1189
Ean v. Chicago, &c., R. Co. 95 Wis. 69, 1689e
Earl v. Tupper, 45 Vt. 275, 1376
Earl of Kildare v. Eustace, 1 Vern. 419, 73
Earl of Lindsey v. Great Northern R. Co., 10 Hare, 664, 635
Earl of Ripon v. Hobart, 1 Cooper (Temp. Brougham), 333, 631
Earl of Sandwich v. Great Northern R. Co., L. R. 10 Ch. Div. 707, 977
Earl of Shrewsbury v. North Staffordshire, &c., R. Co., L. R. 1 Eq. 593, 368, 374
Earl of St. Germans v. Crystal Palace R. Co., L. R. 11 Eq. Cas. 568, 1048
Earle v. Consol. Trac. Co., 64 N. J. L. 573, 1096aq
v. Earle, 91 Ind. 27, 381
v. Seattle, &c., R. Co., 56 Fed. R. 909, 165, 166, 322a, 325, 359, 430, 550
Early v. O'Brien, 64 N. Y. S. 848, 1058
Early's Adm's v. Louisville, &c., R. Co., 115 Ky. 72, 1154
Earlywine v. Topeka, &c., R. Co., 43 Kan. 746, 41
Earnest v. Express Co., 1 Woods (U. S. C. C.), 573, 1491, 1510
Earp's Appeal, 28 Pa. St. 368, 304, 307
Easler v. Southern R. Co., 59 S. Car. 311, 1833
Eason v. Sabine, &c., R. Co., 65 Tex. 577, 1248
East Alabama R. Co. v. Doe, 114 U. S. 340, 37, 67, 520, 790, 1096ad
East Anglian R. Co. v. Eastern Counties R. Co., 11 C. B. 775, 368, 374, 393, 430, 440, 493
East Birmingham Land Co. v. Dennis, 85 Ala. 565, 79
East Boston Freight R. Co. v. Eastern R. Co., 13 Allen (Mass.), 422, 67, 488, 489, 958
v. Hubbard, 10 Allen (Mass.), 459, 489
East Brandywine, &c., R. Co. v. Ranck, 78 Pa. St. 454, 995, 1036
East End St. R. R. Co. v. Doyle, 88 Tenn. 747, 6, 1010, 1088

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

East Georgia, &c., R. Co. v. King, 91 Ga. 519, 623
East Gloucestershire R. Co. v. Bartholomew, L. R. 3 Ex. 15, 106
East Hartford v. American, &c., Bank, 49 Conn. 539, 1686
v. Hartford Bridge Co., 17 Conn. 79, 968
v. Hartford, &c., Co., 10 How. (U. S.) 536, 768
East India, &c., R. Co. v. Pullan, 1 Strange, 690, 1397
East Indian R. v. Kalidas Mukerjee (1901), App. Cas. 396, 1591
East Kingston v. Towle, 48 N. H. 57, 665
East Lake Land Co. v. Brown, 155 U. S. 488, 652, 708
East Lincoln v. Davenport, 94 U. S. 801, 329, 886, 913
East Line, &c., R. Co. v. Brinker, 68 Tex. 500, 1761
v. Culberson, 68 Tex. 664, 1376
v. Culberson, 72 Tex. 375, 466, 472, 473
v. Garrett, 52 Tex. 133, 939
v. Rushing, 69 Tex. 306, 38, 322, 322a, 519
v. State, 75 Tex. 434, 52, 322, 322a, 337, 519, 538, 609
v. Smith, 65 Tex. 167, 1587
East New York, &c., Co. v. Elmore, 5 Hun, 214, 278
East Oakland v. Skinner, 94 U. S. 255, 836, 844
East Pennsylvania Co. v. Schollenberger, 54 Pa. St. 144, 976
East Pennsylvania R. Co. v. Hiester, 40 Pa. St. 53, 1037
East St. Louis v. Amy, 120 U. S. 600, 918
v. East St. Louis, &c., Co., 98 Ill. 415, 1096u
v. Maxwell, 99 Ill. 439, 842
v. O'Flynn, 119 Ill. 200, 981, 1086
v. People, 119 Ill. 182, 736a
v. Underwood, 105 Ill. 308, 918
East St. Louis Provision Co. v. Hightower, 92 Ill. 139, 1274, 1308
East St. Louis, &c., R. Co. v. Altgen, 210 Ill. 213, 1701, 1777
v. Belleville R., 159 Ill. 544, 1056b
v. Craven, 52 Ill. App. 415, 1278, 1303
v. Dwyer, 41 Ill. App. 522, 1697, 1768
v. East St. Louis Union R. Co., 108 Ill. 265, 39, 966, 975, 1116, 1121
v. Eisentraut, 134 Ill. 96, 978
v. Frazier, 26 Ill. App. 437, 1825
v. Jarvis, 92 Fed. 735, 454
v. Shannon, 52 Ill. App. 420, 1288
v. Wabash St. L. & P. Ry. Co., 24 Ill. App. 279, 326, 1394
v. Wabash, &c., R. Co., 123 Ill. 594, 1556a, 1398
v. Wachtel, 63 Ill. App. 181, 1096cn
East Saginaw, &c., Co. v. East Saginaw, 19 Mich. 259, 768
v. East Saginaw, 13 Wall. 373, 768
East Saginaw, &c., R. Co. v. Benham, 28 Mich. 459, 1022, 1041, 1047
East Tennessee Coal Co. v. Daniel, 100 Tenn. 65, 1768
East Tennessee R. Co. v. King, 88 Ga. 443, 1602
East Tennessee, &c., R. Co. v. Aiken, 89 Tenn. 245, 1273
v. Atlanta, &c., R. Co., 49 Fed. R. 608, 553, 563
v. Bayliss, 75 Ala. 466, 1205
v. Bayliss, 74 Ala. 150, 1205, 1213
v. Bayliss, 77 Ala. 429, 1204
v. Brumley, 9 Am. & Eng. R. Cas. 356, 1435
v. Corgille, 105 Tenn. 628, 1259
v. Davis, 91 Ala. 615, 935
v. DeArmond, 86 Tenn. 73, 1328
v. Deaver, 79 Ala. 216, 1204, 1589, 1850
v. Duffield, 12 Lea (Tenn.), 63, 1304
v. Evans, 6 Heisk. (Tenn.) 607, 338
v. Feathers, 10 Lea (Tenn.), 103, 1114, 1157, 1158, 1264
v. Fleetwood, 90 Ga. 23, 1836
v. Gammon, 5 Sneed (Tenn.), 567, 109, 127, 196
v. Green, 95 Ga. 736, 1633
v. Gurley, 12 Lea, 46, 1292, 1586, 1704
v. Hale, 85 Tenn. 69, 1401, 1730
v. Harshaw, 16 Ky. L. 526, 1172
v. Hayes, 83 Ga. 508, 1377
v. Head, 92 Ga. 723, 1297
v. Herrman, 92 Ga. 384, 1755
v. Hesters, 90 Ga. 11, 1242
v. Holmes, 97 Ala. 332, 1628
v. Hunt, 15 Lea (Tenn.), 261, 1558, 1567, 1567a
v. Interstate Com. Com., 181 U. S. 1, 1673, 1682, 1684g
v. Johnson, 85 Ga. 497, 1658, 1730
v. Johnston, 75 Ala. 596, 1511, 1548
v. Kane, 92 Ga. 187, 1282, 1639, 1796
v. Kelly, 91 Tenn. 699, 1463, 1527
v. Kennedy, 83 Ala. 462, 627
v. King, 81 Ala. 177, 1158, 1162, 1257
v. Kornegay, 92 Ala. 228, 1628
v. Lewis, 89 Tenn. 235, 1313, 1339
v. Lilly, 90 Tenn. 563, 1359, 1372
v. Lockhart, 79 Ala. 315, 1799, 1817
v. Love, 3 Head (Tenn.), 63, 950, 963, 988, 1025, 1030
v. Mahoney, 89 Tenn. 311, 3
v. Markens, 88 Ga. 60, 1096ck, 1174
v. Matthews, 85 Ga. 457, 1058a
v. Miller, 95 Ga. 738, 1585, 1831
v. Nelson, 1 Cold. 272, 1393, 1434, 1465, 1487
v. Rogers, 6 Heisk. 143, 1435
v. St. John, 5 Sneed (Tenn.), 524, 1257
v. Scales, 2 Lea (Tenn.), 688, 1206
v. Smith, 89 Tenn. 114, 1314
v. Southern T. Co., 112 U. S. 310, 1010a
v. Stewart, 13 Lea (Tenn.), 432, 1697
v. Suddeth, 86 Ga. 388, 1301a
v. Telford, 89 Tenn. 293, 972, 977, 994a
v. Thompson, 94 Ala. 636, 1269, 1797
v. Turvaville, 97 Ala. 122, 1296, 1345
v. Watson, 90 Ala. 41, 1205, 1218
v. Watters, 77 Ga. 69, 1207
v. White, 5 Lea (Tenn.), 540, 1159
v. Whittle, 27 Ga. 535, 1545, 1550
v. Winters, 85 Tenn. 240, 1589

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

East Tennessee, &c., R. Co. v. Wright, 76 Ga. 532, 1782
East Tennessee, &c., Co. v. Collins, 85 Tenn. 227, 1316
East Union Twp. v. Comrey, 100 Pa. St. 362, 1010
East, &c., Docks R. Co. v. Dawes, 11 Hare, 363, 393
East, &c., Co. v. Shaw, &c., Co., L. R. 39 Ch. Div. 524, 1678
East, &c., R. Co. v. East Tennessee, &c., R. Co., 75 Ala. 275, 964
v. Gattke, 20 L. J. Ch. (N. S.) 217, 978
v. Great Western, &c., R. Co., 1 Nev. & Mac. 331, 1686
v. Hall, 64 Tex. 615, 1403
v. Holmes, 97 Ala. 332, 1642a
v. Miller, 201 Ill. 413, 1053
v. Sims, 80 Ga. 807, 1283
Easten v. Iowa, 188 U. S. 220, 774
Easter v. Little Miami, &c., R. Co., 14 Ohio St. 48, 420, 1188
Easterbrook v. Erie R. Co., 51 Barb. (N. Y.) 95, 996, 1239
Easterly v. Barber, 65 N. Y. 252, 243
Eastern v. Houston, &c., R. Co., 44 Fed. 718, 515
Eastern Archipelago Co. v. Regina, 2 Ellis & B. 856, 48
v. Regina, 22 Eng. L. & Eq. 228, 51
Eastern Arkansas, &c., Co. v. Tanner, 67 Ark. 156, 1062
Eastern Bridge, &c., Assn. v. Williamson, 189 U. S. 122, 373
Eastern Counties v. Broom, 2 Eng. L. & Eq. 406, 198
Eastern Counties R. Co. v. Broom, 15 Jur. 297, 214
Eastern & Midland R. Co., In re, L. R. 45 Ch. Div. 367, 580
Eastern Plank Road Co. v. Vaughn, 14 N. Y. 546, 18
Eastern R. Co. v. Boston & Maine R. R., 111 Mass. 125, 17, 41, 250, 950, 958, 963, 964, 968, 994
v. Concord, &c., R. Co., 47 N. Y. 108, 1039, 1041
v. Loring, 138 Mass. 381, 232, 233
Eastern Texas R. Co. v. Davis, 83 S. W. 883, 1070, 1074a
v. Eddings, 30 Tex. Civ. App. 170, 989, 994, 995, 1036
v. Scurlock, 75 S. W. 366, 1049f
Eastern Union R. Co. v. Cochrane, 24 Eng. L. & Eq. 495, 233
Eastern Wis. R. Co. In re, 107 N. W. 496, 1119
Eastern, &c., Bank v. St. Johnsbury, &c., R. Co., 40 Fed. R. 423, 437, 481
Eastern, &c., Co. v. Gill, 9 Pa. Co. Ct. 630, 1538a
Eastern, &c., P. R. Co. v. Vaughn, 20 Barb. (N. Y.) 155, 152
Eastern, &c., R. Co., In re, 127 Wis. 641, 159
Eastern, &c., R. Co. v. Broom, 6 Exch. 314, 1638
v. Hawkes, 5 H. L. Cas. 331, 341, 350, 351, 371, 390, 440, 935
Eastin v. Knox, &c., R. Co., 92 S. W. 838, 656a
Eastman v. Boston, &c., R. Co., 165 Mass. 342, 1689l
v. Lake Shore, &c., R. Co., 101 Mich. 597, 1268, 1282, 1795
v. Maine, &c., R. Co., 70 N. H. 240, 1594a
v. Wadleigh, 65 Me. 251, 624
Easton v. Dudley, 78 Tex. 236, 303
v. German-American Bank, 127 U. S. 532, 521
v. Houston, &c., R. Co., 32 Fed. R. 893, 1300
v. Houston & T. C. R. Co., 38 Fed. R. 784, 582
v. Houston, &c., R. Co., 39 Fed. R. 65, 1288
v. Houston, &c., R. Co., 40 Fed. R. 189, 584
v. Iowa, 188 U. S. 220, 604
v. Penn., &c., Canal Co., 13 Ohio, 79, 1058, 1059
Easton R. Co. v. Boston, &c., R. Co., 111 Mass. 125, 1121
Easton, &c., Ry. Co. v. Easton, 133 Pa. St. 505, 632, 1079, 1088, 1096d
v. Inhabitants, &c., 25 N. J. Eq. 565, 974
Eastwood v. Kennedy, 44 Md. 563, 1373
v. La Crosse City R. Co., 94 Wis. 163, 1096cn
Easun v. Buckeye, &c., Co., 51 Fed. R. 156, 251
Eaton v. Aspinwall, 19 N. Y. 119, 18, 20
v. Boston, &c., R. Co., 51 N. H. 504, 672, 718, 937, 976, 977, 1055, 1057
v. Boston, &c., R. Co., 11 Allen, 500, 476, 1635
v. Boston, &c., R. Co., 67 N. H. 422, 1787
v. Delaware, &c., R. Co., 57 N. Y. 382, 200, 1255, 1305, 1578, 1581, 1629, 1776, 1784
v. Erie R. Co., 51 N. Y. 544, 1162
v. European, &c., R. Co., 59 Me. 520, 1049, 1056, 1063, 1064
v. Farmer, 46 N. H. 200, 734
v. Fitchburg R. Co., 129 Mass. 364, 1155, 1157
v. McIntire, 88 Me. 578, 1600
v. McNeill, 31 Ore. 128, 1201
v. Neumark, 37 Fed. R. 375, 1521
v. Oregon, &c., R. Co., 19 Ore. 391, 1201, 1208, 1213
v. Robinson, 18 R. I. 396, 345
v. Walker, 76 Mich. 579, 190
Eaton & H. R. Co. v. Hunt, 20 Ind. 457, 26, 27, 324, 335, 336, 339, 514, 515
Eaton National Bank v. American R. Co., N. J. Eq. 60 Atl. 54, 175
Eau Claire, &c., v. Chicago, &c., R. Co., 4 Interst. Com. R. 65, 1678a, 1682, 1684g
Ebaugh v. German, &c., Church, 3 E. D. Smith, 60, 244
Ebbett's Case, L. R. 5 Chan. App. C. 302, 93, 107
Ebbw Vale, &c., Co., In re, L. R. 4 Ch. Div. 827, 87
Eberhart v. Chicago, &c., R. Co., 70 Ill. 347, 994, 1038
Ebert v. Gulf, &c., R. Co., 49 S. W. 1105, 1833
Eby v. Guest, 94 Pa. St. 160, 95
Eccles v. Union, &c., R. Co., 7 Utah, 335, 1377
Echols v. Bristol, 90 Va. 165, 893
v. Louisville, &c., R. Co., 90 Ala. 366, 1741
Ecker v. Chicago, &c., Co., 8 Mo. App. 223, 213, 297
Eckerd v. Chicago, &c., R. Co., 70 Iowa, 353, 1628
Eckert v. Long Island, &c., R. Co., 43 N. Y. 502, 1173

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Eckert v. Pennsylvania R. Co., 211 Pa. 267, 1551, 1556a
v. St. Louis, &c., R. Co., 13 Mo. App. 352, 1794
Eckhard v. St. Louis Transit Co., 190 Mo. 593, 1096br, 1790
Eckington, &c., R. Co. v. Hunter, 6 App. Cas. (D. C.) 287, 1790
Eckles v Norfolk, &c., R. Co., 96 Va. 69, 1697, 1766
v. Railway Co., 112 Mo. App. 240, 1444
Eckman v. Chicago, &c., R. Co., 169 Ill. 312, 373, 1382
Ecliff v. Wabash, &c., R. Co., 64 Mich. 196, 1261
Eclipse, &c., Co. v. Pontchartrain R. Co., 24 La. Ann. 1, 366, 1391, 1675
Ecton v. Lexington, &c., R. Co., 22 Ky. L. 1133, 943, 945
Eddings v. Seabrook, 12 Rich. L. (S. Car.) 504, 996
Eddy, The, 5 Wall. (U. S.) 481, 1571, 1572
Eddy v. Evans, 58 Fed. R. 151, 1205, 1206, 1209
v. Hinnant, 82 Tex. 354, 946, 1611
v. Kincaid, 28 Ore. 537, 680
v. Lafayette, 49 Fed. R. 807, 573, 1224, 1226, 1240, 1242
v. Lafayette, 49 Fed. R. 798, 1213
v. Lafayette, 163 U. S. 456, 577
v. Ottawa City Pass. R. Co., 31 U. C. Q. B. 569, 1082, 1096cc, 1096o
v. People, 127 Ill. 428, 895
v. Powell, 49 Fed. R. 814, 1166, 1171
v. Prentice, 8 Tex. Civ. App. 58, 1296
v. Rider, 79 Tex. 53, 1576
v. Syracuse, &c., Co., 50 App. Div. 109, 1096da
v. Wallace, 49 Fed. R 801, 1589
Edee v. Strunk, 35 Neb. 307, 564
Edelman v. St. Louis Transfer Co., 3 Mo. App. 503, 1801
Eden v. Lexington, &c., R. Co., 14 B. Monr. 204, 1359
Edenton v. Wool, 65 N. Car. 379, 712
Edgar Collegiate Inst. v. Hardy, 142 Ill. 363, 48
Edge v. Commonwealth, 7 Pa. St. 275, 709
Edgerly v. Emerson, 23 N. H. 555, 257, 260, 262, 267
Edgerton v. New York, &c., R. Co., 39 N. Y. 227, 1629, 1644, 1696
Edgewood R. Co.'s Appeal, 79 Pa. St. 257, 923, 950 952, 960, 961
Edinboro Academy v. Robinson, 37 Pa. St. 210, 102
Edinburgh, &c., R. Co. v. Hebble White, 6 M & W. 707, 140
Edgington v. Burlington, &c., R. Co., 116 Ia. 410, 1259, 1261
v. Fitzmaurice, L. R. 29 Ch. Div. 459, 127
Edison v. Edison, &c., Co., 52 N. J. Eq. 620, 540, 542, 544, 547
Edison Electric Light Co. v. New Haven, &c., Co., 35 Fed. R. 233, 335
Edison General Electric Co. v. Canadian Pac. Nav. Co., 8 Wash 370, 381
Edmands v. Boston, 108 Mass. 535, 996, 1036, 1037
Edminson v. Baxter, 4 Hayw. (N. C.) 114, 1734
Edmondson v. Crosthwaite, 34 Beav. 30, 807
v. Kentucky Cent. R. Co., 105 Ky. 479, 1330
Edmunds v. Merchants' Disp. Transp. Co., 135 Mass. 283, 1526, 158[illegible]
Edmundson v. Pittsburgh, &c., Co., 111 Pa. St. 316, 1063
Edmunson v. Pullman, &c., Co., 92 Fed. 824, 1621
Edrington v. Louisville, &c., R. Co., 41 La. Ann. 96, 1221
v. Pridham, 65 Tex. 612, 564
Edsall v. Camden, &c., Co., 50 N. Y. 661, 1505
Edson v. Central, &c., R. Co., 40 Iowa, 47, 1204
Edward Frohlick Co. v. Pennsylvania Co., 138 Mich. 116, 1480
Edwards v. Atlantic, &c., R. Co., 132 N. Car. 99, 1850
v. Brewer, 2 M. & W. 375, 1539
v. Campbell (Tex. C. App.), 33 S. W. 761, 1242
v. Charlotte, &c., R. Co., 39 S. Car. 472, 1057, 1057f
v. Chicago, &c., R. Co., 110 N. W. 832, 1261
v. Derrickson, 28 N. J. L. 39, 1067
v. Grand Junction R. Co., 1 Mylne & C. 650, 14, 268, 422
v. Hall, 6 DeGex, M. & G. 74, 237
v. Hannibal, &c., R. Co., 66 Mo. 567, 1195
v. Hill, 11 Ill. 22, 713
v. Kansas City, &c., R. Co., 74 Mo 117, 1199
v. Kearzey, 96 U. S. 595, 840
v. Lake Shore, &c., R. Co., 81 Mich. 364, 1593, 1597
v. London, &c., R. Co., L. R. 5 C. P. 445, 1265
v. Lord, 49 Me. 279, 1587
v. Midland R. Co., L. R. 6 Q. B. D. 287, 1265
v. Missouri, &c., R. Co., 97 Mo. App. 103, 1057d
v. People, 88 Ill. 340, 913
v. Pittsburgh, &c., R. Co., 215 Pa. St. 597, 949, 1096bj
v. Sherratt, 1 East, 604, 1466
v. Railroad Co., 32 S. Car. 117, 1519
Edwards v. Williamson, 70 Ala. 145, 840, 842
v. White Line R. Co., 104 Mass. 159, 1461, 1537, 1539
Edwards, &c., Co. v. Jasper Co., 117 Ia. 365, 781
Edwardsville R. Co. v. Sawyer, 92 Ill. 377, 1049, 1096
Edwin, The Bark, 1 Sprague (U. S. Dist.), 477, 1418
E. E. Jackson Lumber Co. v. Cunningham, 141 Ala. 206, 4
Eel River R. Co. v. State, 155 Ind. 433, 24, 55, 447, 623, 644
River R. Co. v. State, 143 Ind. 231, 22, 621a, 644
Eel River, &c., R. Co. v. Field, 67 Cal. 429, 929, 930, 973
Eells v. St. Louis, &c., R. Co., 52 Fed. R. 903, 1497, 1510
Effes v. Mississippi, &c., R. Co., 35 Ala. 33, 140
Efird v. Piedmont Land, &c., Co., 55 S. C. 78, 146
Efron v. Wagner, &c., Co., 59 Mo. App. 641, 1624

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Egan v. Cargo of Laths, 43 Fed. R. 480, 1572
Egan v. Cheshire St. R. Co., 78 Conn. 291, 6, 1096bg
v. Dry Dock, &c., R. Co. 12 App. Div. (N. Y.) 556, 1689g
v. Montana Cent. R. Co., 24 Mont. 569, 1252
v. Old Colony St. R. Co., 80 N. E. 696, 1096cz
Egbert v. Lake Shore, &c., R. Co., 6 Ind. App. 350, 937, 1057
Egerer v. N. Y. Cent., &c., R. R. Co., 130 N. Y. 108, 7, 1087
Egerton v. Earl Brownlow, 4 H. L. Cas. 1, 383
Eggleston v. New York, &c., R. Co., 35 Barb. (N. Y.) 162, 949
E. H. Pray, The, 27 Fed. R. 474, 1539
Ehle v. Chittenango Bank, 24 N. Y. 548, 320
Ehler's Adm. v. Elder, 51 Miss. 495, 1075
Ehret v. Camden, &c., R. Co., 60 N. J. Eq. 246, 1096be
v. Kansas City, &c., R. Co., 20 Mo. App. 251, 1197
v. Railroad Co., 151 Pa. St. 158, 1003a
Ehrgott v. Mayor, 96 N. Y. 264, 1827
Ehrisman v. East Harrisburg, &c., R. Co., 150 Pa. St. 180, 1096aq, 1096bq, 1096cj
Ehrman v. Brooklyn R. Co., 38 N. Y. St. 990, 1827
v. Tentonia, &c., Co., 1 Fed. 471, 621a
Ehrmann v. Nassau Elec. R. Co., 23 App. Div. (N. Y.) 21, 1790, 1792
Eiceman v. Finch, 79 Ind. 511, 530
Eichelburger v. Pittsburgh, &c., R. Co. (Ohio) 9 Am. & Eng. R. Cas. 158, 627
Eichels v. Evansville, &c., Co., 78 Ind. 261, 65, 1076, 1077, 1088, 1096c, 1096g, 1096l
Eichengreen v. Louisville, &c., R. Co., 96 Tenn. 229, 1265
Eichorn v. Missouri, &c., R. Co., 130 Mo. 575, 1590, 1642
v. New Orleans, &c., R. Co., 112 La. Ann. 236, 1156, 11791
Eidman v. Bowman, 58 Ill. 444, 87, 163, 320
Eidt v. Cutter, 127 Mass. 522, 1700
Eidson v. Railway Co., 23 So. 369, 1637
Eigemann v. Board, 82 Ind. 413, 1060
Eighme v. Rome, &c., R. Co., 10 N. Y. Supp. 600, 1232
Eighmy v. Union Pac. R. Co., 93 Iowa, 538, 223, 1388
Eight-hour Law, In re, 21 Colo. 29, 1336
Eilert v. Green Bay, &c., R. Co., 48 Wis. 606, 1156, 1161
Eingartner v. Illinois Steel Co., 94 Wis. 70, 1365, 1366
Einolf v. Thompson, 95 Minn. 230, 1825
Einstein v. Rosenfeld, &c., Mills, 38 N. J. Eq. 309, 541
Eirich v. Donnelly, &c., Co., 104 Fed. 1, 621b
Eisholz v. Niagara Falls, &c., R. Co., 66 App. Div. (N. Y.) 441, 1304
Ekman v. Minneapolis St. R. Co., 34 Minn. 24, 1689c
El Pass., &c., R. Co. v. Barrett, 101 S. W. 1025, 1773
v. Harry, 83 S. W. 733, 1096cr
v. Kelly, 87 S. W. 660, 622
Ela v. American Merchants' Un. Exp. Co., 29 Wis. 611, 1524, 1524a
Ela v. Smith, 5 Gray, 121, 865
Elam v. St. Louis, &c., R. Co., 117 Mo. App. 453, 1457a
Elderkin v. Peterson, 8 Wash. 674, 146
Eldorado, &c., R. Co. v. Everett, 80 N. E. 281, 1038
Eldred v. Sexton, 30 Wis. 193, 795
Eldredge v. Norfolk Co., 185 Mass. 186, 975a
Eldridge v. Binghamton, 120 N. Y. 309, 951
v. Smith, 34 Vt. 484, 72, 390, 394, 629, 954, 960, 970
Election of St. Lawrence Steamboat Co., Matter of, 44 N. J. L. 529, 162
Electric Co. v. Southern R. Co., 72 S. Car. 251, 1523
Electric R. Co. v. Boddy, 105 Tenn. 666, 1096bq
v. Common Council of Grand Rapids, 84 Mich. 257, 1079, 1081
v. Niagara Falls, 95 N. Y. S. 73, 1096i, 1096v
Electric Tel. Co., In re, 3 De G. & J. 170, 103
Elevated R. R. Co., In re, 70 N. Y. 327, 56
Elevator Co. v. Memphis & C. R. Co., 85 Tenn. 703, 42, 82, 86, 310, 350
Elfelt v. Stillwater St. R. Co., 53 Minn. 68, 1088, 1096c
Elgin v. Baltimore, &c., R. Co., 74 Md. 61, 359
v. Winona & St. P. R. Co., 36 Minn. 517, 895
Elgin, &c., R. Co. v. Bates, &c., Co., 98 Ill. App. 311, 1466
v. Fletcher, 128 Ill. 619, 1040a
v. Raymond, 148 Ill. 241, 1176
v. Raymond, 47 Ill. App. 242, 1262
v. Thomas, 215 Ill. 158, 1248
Elgin, &c., Traction Co. v. Wilson, 217 Ill. 47, 1635, 1644
Elgin, &c., Co. v. Loveland, 132 Fed. 41, 18
Elizabeth v. Force, 29 N. J. Eq. 587, 485, 882
Elizabethtown, &c., R. Co. v. Ashland, &c., St. R. Co., 96 Ky. 347, 1096bg, 1135
v. Combs, 10 Bush (Ky.), 382, 1004, 1085
v. Geoghegan, 9 Bush (Ky.), 56, 1058
v. Helm, 8 Bush (Ky.), 681, 987, 988, 994, 995, 1025, 1038, 1051
v. Killen, 21 Ky. L. 122, 945
v. Pottinger, 10 Bush (Ky.), 185, 1062
v. Thompson, 79 Ky. 52, 1033, 1087
v. Wright, 21 Ky. L. 128, 420
Elkhart v. Murray, 165 Ind. 304, 1096ag
Elkhart Car Works Co. v. Ellis, 113 Ind. 215, 572
Elkhart County Lodge v. Crary, 98 Ind. 238, 387
Elkins v. Boston, &c., R. Co., 115 Mass. 190, 1114, 1157, 1172, 1174
v. Boston, &c., R. Co., 23 N. H. 275, 303, 1392, 1393, 1407, 1466, 1629
v. Boston, &c., R. Co., 19 N. H. 367, 1692
v. Camden, &c., R. Co., 36 N. J. Eq. 5, 95, 167, 384, 385
v. Camden, &c., R. Co., 36 N. J. Eq. 233, 83, 252, 315

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Elkins v. Camden, &c., R. Co., 36 N. J. Eq. 241, 250, 251, 354, 367
v. Camden, &c., R. Co., 36 N. J. Eq. 467, 174, 251
v. Empire T. Co., 2 Weekly Notes Cas. (Pa.) 403, 1424
v. Empire, &c., Co., 81½ Pa. St. 315, 1454, 1510
Ell v. Northern, &c., R. Co., 1 N. Dak. 336, 1301, 1316, 1317, 1329
Elledge v. National, &c., Co., 100 Cal. 282, 218, 1283, 1329, 16811
Eller v. Carolina, &c., R. Co., 140 N. Car. 140, 166[illegible]a
Ellerman v. Chicago Junct. R. Co., 49 N. J. Eq. 217, 165, 481, 634
Ellershaw v. Magniac, 6 Ex. 569, 1426
Ellet v. St. Louis, &c., R. Co., 76 Mo. 518, 1584
Ellich v. Mason City, &c., R. Co., 75 Ia. 443, 1085
Ellicott Machine Co. v. Speed & Co., 72 Md. 72, 599
Ellicottville, &c., Plank R. Co. v. Buffalo, &c., R. Co., 20 Barb. (N. Y.) 644, 977
Elling v. Thexton, 7 Mont. 330, 796
Ellinger v. Philadelphia, &c., R. Co., 153 Pa. St. 213, 1639
Ellington v. Beaver, &c., R. Co., 93 Ga. 53, 1, 1321
Elliot v. Chicago, &c., R. Co., 5 Dak. 523, 1298
v. McCormick, 144 Mass. 10, 624
Elliott v. Chicago, &c., R. Co., 150 U. S. 245, 1153, 1166, 1179, 1702
v. Fair Haven, &c., R. Co., 32 Conn. 579, 1088, 1096c
v. Fitchburg R. Co., 10 Cush. (Mass.) 191, 977
v. Hannibal, &c., R. Co., 66 Mo. 683, 1195
v. New York, &c., R. Co., 33 N. Y. S. 861, 1505
v. Newport St. R. Co., 18 R. I. 707, 1096cz, 1630, 1636
v. Rossell, 10 Johns. 1, 1486
v. St. Louis, &c., R. Co., 67 Mo. 272, 1308, 1309
v. Sibley, 101 Ala. 344, 100
v. Southern Pac. Co., 145 Cal. 441, 1598
v. Van Voorst, 3 Wall. Jr. (U. S. C. C.) 299, 511
v. Western, &c., R. Co., 58 Ga. 454, 1607, 1637
Ellis v. Barfield, 64 L. T. R. 625, 307
v. Boston, &c., R. Co., 107 Mass. 1, 27, 253, 276, 339, 495, 501, 528, 554, 563, 565, 567
v. Boston, &c., R. Co., 160 Mass. 341, 1096ce
v. Central Pacific R. Co., 5 Nev. 255, 222
v. Elkhart Car Works Company, 97 Ind. 247, 943
v. Hilton, 78 Mich. 150, 1218
v. Lake Shore, &c., R. Co., 138 Pa. St. 506, 1156, 1167
v. Little, 27 Kan. 707, 579
v. London, &c., R. Co., 2 H. & N. 424, 1184
v. Lynn, &c., R. Co., 160 Mass. 341, 1096cn
v. Marshall, 2 Mass. 269, 16
v. Missouri Pac. R. Co., 83 Mo. 372, 1215
v. New York, &c., R. Co., 95 N. Y. 546, 1296
Ellis v. North Carolina, &c., 68 N. Car. 423, 246
v. Northern Pac. R. Co., 77 Wis. 114, 1, 678
v. Pacific R. Co., 51 Mo. 200, 1035a
v. Portsmouth, &c., R. Co., 2 Ired. (N. Car.) L. 138, 1242
v. Proprietors, 2 Pick. (Mass.) 243, 78
v. Railway Co., 120 Wis. 645, 1590a
v. Rock Island, &c., R. Co., 125 Ill. 82, 998
v. Sheffield Gas Co., 2 E. & B. 769, 1096ar
v. Vernon Ice, &c., Co., 86 Tex. 109, 563
v. Wabash, &c., R. Co., 17 Mo. App. 126, 1097
v. Willard, 9 N. Y. 529, 1419, 1420, 1562
Ellison v. Mobile, &c., R. Co., 36 Miss. 572, 111, 116, 127
Ellsworth, &c., R. Co. v. Gates, 41 Kan. 574, 1000a
Ells v. Pacific, &c., R. Co., 48 Mo. 231, 1188, 1195
v. Pacific R. Co., 51 Mo. 200, 933, 1027, 1055
Ellsworth v. Chicago, &c., R. Co., 91 Ia. 386, 1020
v. Chicago, &c., R. Co., 95 Ia. 98, 1594, 1594a, 1637a
v. Dorwart, 95 Iowa, 108, 172
v. Grand Rapids, 27 Mich. 250, 806
v. St. Louis, &c., R. R. Co., 98 N. Y. 553, 351, 484, 485
v. Tartt, 26 Ala. 733, 1435, 1445, 1447
Ellsworth Trust Co. v. Parramore, 108 Fed. 906, 24
Elmer v. Locke, 135 Mass. 575, 1333b
Elmore v. Brooks, 6 Heisk. (Tenn.) 45, 231
v. Naugatuck Railroad, 23 Conn. 457, 1435
v. Sands, 54 N. Y. 512, 1598
Elmwood Township v. Marcy, 92 U. S. 289, 843, 876, 916
El Paso Elec. R. Co. v. Alderete, 36 Tex. Civ. App. 142, 1843
v. Harry, 83 S. W. 735, 1844
Elston v. Piggott, 94 Ind. 14, 773
Elting, &c., Co. v. Williams, 36 Conn. 310, 927
Elvira Harbeck, The, 2 Blatchf. (U. S.) 336, 1656
Elwell v. Eastern R. Co., 124 Mass. 160, 1048
v. Fosdick, 134 U. S. 500, 508
v. Grant St., &c., R. R. Co., 67 Barb. (N. Y.) 83, 492, 497
v. Hacker, 86 Me. 416, 1768
v. Puget Sound & C. R. Co., 7 Wash. 487, 352
v. Skiddy, 77 N. Y. 282, 1559
Elwood v. Addison, 26 Ind. App. 28, 1378a
v. Connecticut, &c., Co., 77 Conn. 145, 1096cy, 1628
v. New York, &c., Railway Co., 4 Hun, 808, 1158, 1264
Elwood St. R. Co. v. Ross, 26 Ind. App. 258, 1096cl, 1096cq, 1822
Ely v. New Haven, &c., R. Co., 53 Barb. (N. Y.) 207, 1520, 1527
v. New York, &c., R. Co., 88 Hun, 323, 1280

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ely v. St. Louis, &c., R. Co., 77 Mo. 34, 1177, 1349, 1697, 1830, 1844
v. San Antonio, &c., R. Co., 15 Tex. Civ. App. 511, 1296, 1301
v. Sprague, Clarke Ch. (N. Y.) 351, 312
Elysville Mfg. Co. v. Okisko Co., 1 Md. Ch. 392, 210
Elyton Land Co. v. Birmingham, &c., Co., 92 Ala. 407, 91, 110, 111
v. South & North Ala. R. Co., 95 Ala. 631, 393
Elzig v. Bales, 112 N. W. 540, 1820
Emanuel v. Bridger, L. R. 9 Q. B. 286, 625
Emanuel Hospital v. Metropolitan R. Co., 19 L. T. Rep. (N. S.) 692, 1017
Embury v. Conner, 3 N. Y. 511, 952, 970, 1008
Emerson v. European, &c., R. R. Co., 67 Me. 387, 495, 497
v. New York, &c., R. R. Co., 14 R. I. 555, 83
v. Peteler, 35 Minn. 481, 1259
v. Providence, &c., Co., 12 Mass. 237, 258
v. St. Louis, &c., R. Co., 111 Mo. 161, 1551
v. Schoonmaker, 135 Pa. St. 437, 1824
v. Simpson, 43 N. H. 475, 941
v. Western Union R. Co., 75 Ill. 176, 998
Emert v. Missouri, 150 U. S. 296, 1663
Emery v. Boston, &c., Insurance Co., 138 Mass. 398, 1522
v. Chicago, &c., R. Co., 77 Minn. 465, 1641
v. Hersey, 4 Me. 407, 1455
v. Irving Nat. Bank, 25 Ohio St. 360, 1429, 1429a
v. Parrott, 107 Mass. 95, 11
v. Raleigh, &c., R. Co., 102 N. C. 209, 401, 937, 948
v. Royal, 117 Ind. 299, 625
v. San Francisco, &c., Co., 28 Cal. 345, 781
v. Wason, 107 Mass. 507, 308
Emigh v. Pittsburgh, &c., R. Co., 4 Biss. (U. S. C. C.) 114, 1693
Emigrant, &c., Bank v. Goldman, 75 N. Y. 127, 512
Eminence v. Grasser, 81 Ky. 52, 903
Emlen v. Lehigh, &c., Co., 47 Pa. St. 76, 486
Emma Silver M. Co. v. Grant, L. R. 11 Ch. Div. 918, 11
Emmerson v. St. Louis, &c., R. Co., 35 Mo. App. 621, 1193
Emmons v. Minneapolis, &c., Co., 38 Minn. 215, 1181
Empire City Bank, Matter of, 18 N. Y. 199, 95
Empire, &c., Co., In re, 62 L. T. R. 493, 504
Empire Manufacturing Co. v. Stuart, 46 Mich. 482, 535, 619
Empire State Cattle Co. v. Atchison, &c., R. Co., 129 Fed. 480, 1516
v. Atchison, &c., R. Co., 135 Fed. 135, 1457a
Empire T. Co. v. Wallace, 68 Pa. St. 302, 1415, 1455, 1483
Empire Township v. Darlington, 101 U. S. 87, 828, 886
Empire, &c., Co. v. Wamsutta Co., 63 Pa. St. 14, 1472, 1478, 1487
Empress Co. v. Kountz, 8 Wall. (U. S.) 342, 1440
Empress Eng. Co., In re, L. R. 16 Ch. D. 125, 14, 353
Enfield v. Jordan, 119 U. S. 680, 484, 835, 836, 880
Enfield Bridge Co. v. Connecticut River Co., 7 Conn. 28, 52
v. Hartford & N. H. R. Co., 17 Conn. 40, 32, 38, 950, 954, 960, 964, 967, 968, 974, 1049, 1050
Enfield Mfg. Co. v. Ward, 190 Mass. 314, 931, 937, 946c
Engel v. New York, &c., R. Co., 160 Mass. 260, 1338
v. Scheuerman, 40 Ga. 206, 627
v. South, &c., Co., 66 L. T. R. 155, 562
Engelhardt v. Delaware, &c., R. Co., 78 Hun, 467, 1297
Engesether v. Great Northern R. Co., 65 Minn. 168, 1512
England v. Beatty Organ, &c., Co., 41 N. J. Eq. 470, 605
v. Boston, &c., R. Co., 153 Mass. 490, 1628, 1628c
v. Dearborn, 141 Mass. 590, 161, 170, 285
v. International R. Co., 32 Tex. Civ. App. 86, 1598, 1601
Englehaupt v. Railroad Co., 209 Pa. St. 182, 1628
Englewood, &c., R. Co. v. Chicago, &c., R. Co., 117 Ill. 611, 1025
English v. Chicago, &c., R. Co., 24 Fed. 906, 1304
v. Delaware, &c., Co., 66 N. Y. 454, 1594, 1637, 1823
v. Delaware, &c., Co., 4 Hun (N. Y.), 683, 1789
v. New Haven, &c., R. Co., 32 Conn. 240, 1111
v. Smock, 34 Ind. 115, 880
v. Southern Pac. R. Co., 13 Utah, 407, 1378a, 1792
Engrer v. Ohio, &c., R. Co., 142 Ind. 618, 1166, 1701
Engster v. West, 35 La. Ann. 119, 1481
Enid, &c., R. Co. v. Wiley, 14 Okla. 310, 1030, 1032
Ennis v. Wood River, &c., Railroad, 12 R. I. 73, 1036, 1045
Eno v. Manhattan R. Co., 21 App. Div. (N. Y.) 548, 1053
Enoch v. Pittsburg, &c., R. Co., 145 Ind. 635, 1155, 1689f
Enos v. Chicago, &c., R. Co., 78 Iowa, 28, 1087
Enright v. Pittsburgh, &c., R. Co., 198 Pa. St. 166, 1256
v. San Francisco, &c., R. Co., 33 Cal. 230, 1184, 1189
Ensign v. Harney, 15 Neb. 330, 1017
Ensley v. Mayor, 2 Baxt. 144, 1239
Ensley R. Co. v. Chewning, 93 Ala. 24, 1179l, 1792, 1801
Enterprise Ditch Co. v. Moffitt, 58 Neb. 642, 147
E. O. Stanard Milling Co. v. White Line, &c., Co., 122 Mo. 258, 1711
Ephland v. Missouri Pac. R. Co., 57 Mo. App. 147, 1628, 1810
Ephriam v. Pacific Bank, 129 Cal. 589, 584
Eppendorf v. Brooklyn City, &c., R. Co., 69 N. Y. 195, 1096cy, 1697

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Eppes v. Mississippi, &c., R. R. Co., 35 Ala. 33, 103, 153
Eppright v. Nickerson, 78 Mo. 482, 602
Equitable Endowment Assn. v. Fisher, 71 Md. 430, 216
Equitable Trust Co. v. Fisher, 106 Ill. 189, 514
Era, &c., Co. In re, 30 L. J. Eq. 137, 252
Erb v. Boston, &c., R. Co., 191 Mass. 482, 1096cp
v. Keokuk P. Co., 43 Mo. 53, 1420
v. Morasch, 177 U. S. 584, 537, 565
Erd v. Chicago, &c., R. Co., 41 Wis. 65, 1232, 1238
Erhardt v. Board, 113 U. S. 537, 810
Erickson v. Monson R. Co., 100 Me. 107, 1314
v. Nesmith, 15 Gray (Mass.), 221, 182
v. Nesmith, 46 N. H. 371, 182
v. Nesmith, 4 Allen, 233, 24
v. Pacific, &c., Co., 96 Fed. 80, 1373
v. St. Paul, &c., R. Co., 41 Minn. 500, 1249, 1283, 1298a
Ericsson v. Brown, 38 Barb. (N. Y.) 390, 186
Erie v. Erie Canal Co., 59 Pa. St. 174, 668
v. Erie, &c., Co., 87 Pa. St. 434, 750
Erie Dispatch Co. v. Johnston, 87 Tenn. 490, 1510
Erie R. Co., Matter of, 64 N. J. L. 123, 735
Erie R. Co. v. Buffalo, 89 N. Y. S. 122, 1101
v. Delaware, &c., R. Co., 21 N. J. Eq. 283, 1008, 1049
v. Littell, 128 Fed. 546, 1594a
v. Lockwood, 28 Ohio St. 358, 1457
v. Mayor, 59 Atl. 1031, 785
v. Patterson, 72 N. J. L. 83, 1096am
v. Pennsylvania, 21 Wall. 492, 757
v. State, 31 N. J. L. 531, 764
v. Steward, 170 N. Y. 172, 374, 930, 952b, 962
v. Steward, 61 App. Div. (N. Y.) 480, 955
v. Steward, 59 App. Div. (N. Y.) 187, 1010, 1053
v. Stringer, 32 Ohio St. 468, 26
v. Wilcox, 84 Ill. 239, 303, 1422, 1491, 1501, 1526a, 1535
Erie, &c., R. Co. v. Brown, 25 Pa. St. 156, 106
v. Casey, 26 Pa. St. 287, 57, 59, 431, 613
v. Dater, 91 Ill. 195, 1502, 1503
v. Decker, 78 Pa. St. 293, 1224, 1238
v. Douthit, 88 Pa. St. 243, 1611
v. Owen, 32 Barb. (N. Y.) 616, 102
v. Patrick, 2 Abb. App. Cas. 72, 105
v. Rousseau, 17 Ont. App. 483, 401
v. Schuster, 113 Pa. St. 412, 1095
v. Smith, 125 Pa. St. 259, 1270, 1309
v. Tubbs, 49 N. Y. 356, 930
Erlanger v. Phosphate Co., 3 App. Cas. 1218, 11
Ernest v. Express Co., 1 Woods 573, 1454
v. Nicholls, 6 H. L. Cas. 401, 213
Ernst v. American, &c., Co., 114 Fed. 981, 655a
Ernst v. Hudson, &c., R. Co., 35 N. Y. 9, 1153, 1156, 1157, 1165
Erskine v. Chino, &c., Co., 71 Fed. 270, 1307, 1313, 1314
v. McIlrath, 60 Minn. 485, 576
v. Nelson County, 4 S. Dak. 66, 845
Erslew v. New Orleans, &c., R. Co., 49 La. Ann. 86, 1096cm
Erste Sokolower, &c. v. First United, &c., Verein, 32 Misc. (N. Y.) 269, 322a
Ervin v. Oregon, &c., Co., 28 Hun (N. Y.), 269, 166
v. Oregon, R., &c., 27 Fed. R. 625, 163, 169
v. Philadelphia, &c., R. Co., 7 R. R. & Corp. L. J. 87, 157
Ervine's Appeal, 16 Pa. St. 256, 666
Erwin v. Central Un. Tel. Co., 148 Ind. 365, 1689a
v. Davenport, 9 Heisk. (Tenn.) 44, 576, 581
v. Fulk, 94 Ind. 235, 1049
v. Lowry, 7 How. 172, 553
Escanaba, &c., Co. v. Chicago, 107 U. S. 678, 658, 980a
Esch v. Chicago, &c., R. Co., 72 Wis. 229, 1036, 1053
Escopiniche v. Stewart, 2 Conn. 391, 1562
Eskridge v. Cincinnati, &c., R. Co., 89 Ky. 367, 1153
Esler v. Wabash R. Co., 109 Mo. App. 580, 1153
Eslich v. Mason City, &c., R. Co., 75 Iowa, 443, 1026
Espin v. Pemberton, 3 DeGex & J., 547, 226
Esrey v. Southern Pac. R. Co., 103 Cal. 541, 1257
Essex v. Day, 52 Conn. 483, 873
v. Murray, 29 Tex. Civ. App. 368, 1060
Essex Co. R. Co. v. Lunenburgh, 49 Vt. 143, 874
Essex Turnpike Corp. v. Collins, 8 Mass. 292, 349
Estabrook, Ex parte, 2 Lowell, 547, 351
Estabrooks v. Peterborough, &c., R. Co., 12 Cush. (Mass.) 224, 976, 977
Estate of Bohlen, 75 Pa. St. 304, 94
Estate of Oliver, 136 Pa. St. 43, 307
Estate of Smith, 140 Pa. St. 344, 307
Estell v. Knightown, &c., Turnp. Co., 41 Ind. 174, 133
Estell Co. v. Embry, 144 Fed. 913 918a
Esterley's Appeal, 54 Pa. St. 192. 1066
Estes v. Atlantic, &c., Co., 63 Me. 308, 1185, 1200
v. Chicago, &c., Co., 72 Iowa, 235, 216
v. German National Bank, 62 Ark. 7, 257
v. Missouri Pac. R. Co., 110 Mo. App. 725, 1096cw, 1601
v. Owen, 90 Mo. 113, 783
v. St. Paul, &c., R. Co., 7 N. Y. Supp. 863, 1657
Estes Park Toll Road Co., v. Edwards, 3 Colo. App. 74. 33
Estey v. Truxel, 25 Mo. App. 238, 1539, 1540
Estill v. New York, &c., R. Co., 41 Fed. 849, 1549a, 1727
Esty v. Baker, 48 Me. 495, 1057d
Eswin v. St. Louis, &c., R. Co., 96 Mo. 290, 1261

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

E. Swindell Co. v. Alabama, &c., R. Co., 123 Ga. 311, 1243
Etherington v. Prospect Park, &c., Co., 84 N. Y. 641, 1096cp
Etowah, &c., Co. v. Wills, &c., Co., 106 Ala. 492, 586
Etson v. Ft. Wayne, &c., R. Co. 110 Mich. 494, 1644
Ettlinger v. Persian, &c., Co., 66 Hun, 94, 558
v. Persian, &c., Co., 142 N. Y. 189, 509
Eureka, &c., Manf. Co., In re, 96 N. Y. 42, 952
Eureka v. Merrifield, 53 Kan. 794, 1359, 1367
v. Wilson, 15 Utah, 53, 1096ar
Eureka Co. v. Bass, 81 Ala. 200, 1295
Eureka Iron, &c., Works v. Bresnahan, 60 Mich. 332, 220
Eureka, &c., R. Co., v. McGrath, 74 Cal. 49, 1033, 1053
European R. Co., In re, L. R. 8 Eq. 444, 259
European, &c., R. R. Co., v. McLeod, 3 Pugsley (16 N. B.), 3, 143
v. Poor, 59 Me. 277, 274, 275, 276, 535, 1058
European, &c., Society, In re, L. R. 9 Eq. 122, 601
Eustin v. Milton St. R. Co., 183 Mass. 586, 1096c
Euting v. Chicago, &c., R. Co., 116 Wis. 13, 1265
Evans v. American, &c., Co., 42 Fed. R. 519, 1303
v. Atlanta, &c., R. Co., 56 Ga. 498, 1450
v. Atlantic, &c., R. Co., 62 Mo. 49, 1158, 1252, 132d
v. Bailey, 66 Cal. 112, 78
v. Brandon, 53 Tex. 56, 318
v. Burlington, &c., R. Co., 21 Iowa. 374, 1180
v. Chicago, &c., R. Co., 86 Wis. 597, 1090
v. Cincinnati, &c., R. Co., 78 Ala. 341, 1799
v. Coventry, 25 L. J. (Ch.) 489, 95, 183, 317
v. Chamberlain, 40 S. Car. 104, 1278
v. Dillingham, 43 Fed. R. 177, 652, 653
v. Fitchburg, &c., R. Co., 111 Mass. 142, 1545, 1546, 1549, 1550
v. Haefner, 29 Mo. 141, 672
v. Hutton, 5 Scott N. R. 670, 1485
v. Interstate, &c., R. Co., 106 Mo. 594, 335, 338
v. Lake Shore, &c., R. Co., 88 Mich. 442, 1157, 1702
v. Lee, 11 Nev. 194, 411
v. Louisville, &c., R. Co., 70 Miss. 527, 1344, 1346
v. Memphis, &c., R. Co., 56 Ala. 246, 200
v. Missouri, &c., R. Co., 64 Mo. 453, 632, 986, 1048, 1050
v. Oregon, &c., R. Co., 1 Interst. Com. Com. R. 325, 1684
v. Osgood, 18 Me. 213, 164
v. Pittsburgh, &c., R. Co., 142 Ind. 264, 1763
v. Railroad Co., 28 Ky. L. 834, 1454
v. St. Louis, &c., R. Co., 11 Mo. App. 463, 1598
Evans v. St. Paul, &c., R. Co., 30 Minn. 489, 1185, 1209
v. Smallcombe, L. R. 3 H. of L. 249, 154, 176
v. Southern R. Co., 133 Ala. 482, 1188
v. Trenton, 24 N. J. L. 764, 383
v. Union Pac. Ry. Co., 58 R. 497, 343, 550
v. Utica, &c., 89 N. Y. Supp. 1089, 6
Evans, &c., Co. v. St. Louis, &c., R. Co., 17 Mo. App. 624, 1160
Evansich v. Gulf, &c., R. Co., 57 Tex. 123, 1259
Evanston Elevator, &c., Co. v. Castner, 133 Fed. 409, 1425
Evansville v. Bennett, 161 U. S. 434, 901
v. Senhenn, 151 Ind. 42, 1262
v. Woodbury, 60 Fed. R. 718, 835
Evansville St. R. Co. v. Gentry, 147 Ind. 408, 1096bq, 1096cj
Evansville, &c., R. Co. v. Allen, 34 Ind. App. 636, 1176
v. Athon, 6 Ind. App. 295, 1578
v. Barbee, 74 Ind. 169, 1197, 1198, 1201
v. Barnes, 137 Ind. 306, 1393
v. Baum, 26 Ind. 70, 214, 1265, 1638
v. Carvener, 113 Ind. 51, 1092, 1176
v. Cates, 14 Ind. App. 172, 1594
v. Charlton, 6 Ind. App. 56, 990, 1008
v. Clements, 32 Ind. App. 659, 1153, 1160, 1161, 1850
v. Cochran, 10 Ind. 560, 1037, 1039
v. Crist, 116 Ind. 446, 1105, 1108, 1176
v. Darting, 6 Ind. App. 375, 1639, 1689b
v. Dick, 9 Ind. 433, 977, 1057
v. Duel, 134 Ind. 156, 1291, 1308, 1311, 1766
v. Duncan, 28 Ind. 441, 1465, 1575, 1639, 1641, 1689h, 1757, 1841
v. Dunn, 17 Ind. 603, 115
v. Erwin, 84 Ind. 457, 1426, 1540
v. Evansville, 15 Ind. 395, 82, 86, 316, 820, 858, 865, 880, 907
v. Fitzpatrick, 10 Ind. 120, 1038
v. Frank, 3 Ind. App. 96, 504
v. Grady, 6 Bush (Ky.), 144, 950, 1050, 1055
v. Griffin, 100 Ind. 221, 466, 1154, 1249, 1250
v. Guyton, 115 Ind. 450, 1284
v. Henderson, 134 Ind. 636, 1271, 1296, 1324
v. Henderson, 142 Ind. 596, 1269, 1291
v. Hiatt, 17 Ind. 102, 1175
v. Holcomb, 9 Ind. App. 198, 1280
v. Keith, 8 Ind. App 57, 1243a, 1403, 1410, 1411, 1412, 1462, 1558
v. Kevekordes, 69 N. E. 1022, 1417, 1423, 1719
v. Kraff, 143 Ind. 647, 1689f, 1766
v. Lowdermilk, 15 Ind. 120, 1374
v. McKee, 99 Ind. 519, 213, 214, 1265

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Evansville, &c., R. Co. v. McKinney, 34 Ind. App. 402, 1713
v. Maddox, 134 Ind. 571, 1283, 1288, 1301a, 1303, 1389f
v. Marsh, 57 Ind. 505, 1451, 1569, 1708
v. Miller, 30 Ind. 209, 1012, 1033, 1035, 1035a
v. Mills, 77 N. E. 609, 1313
v. Mills, 37 Ind. App. 598, 1605
v. Montgomery, 85 Ind. 494, 1738
v. Mosier, 101 Ind. 597, 1188, 1198, 1200, 1214
v. Mosier, 114 Ind. 447, 1193
v. Nye, 113 Ind. 223, 949, 1048, 1049
v. Pritchard, 131 Ind. 564, 1176
v. Tipton, 101 Ind. 197, 1193
v. Tohill, 143 Ind. 49, 1286
v. Welch, 25 Ind. App. 308, 1263, 1689f
v. Wolf, 59 Ind. 89, 1262
v. Young, 28 Ind. 516, 1501, 1553
Evansville &c., Trac. Co. v. Henderson Bridge Co., 134 Fed. 973, 922, 974, 1084
v. Henderson Bridge, 141 Fed. 51, 956
Evansville, &c., Co. v. Barnes, 137 Ind. 306, 296, 1580, 1697
v. Shearer, 10 Ind. 244, 386
Evarts v. St. Paul, &c., R. Co., 56 Minn. 141, 1305
Evelyn v. Lewis, 3 Hare 472, 572
Evensen v. Lexington, &c., R. Co., 187 Mass. 77, 1174
Everdell v. Sheboygan, &c., Co., 41 Wis. 395, 625, 626
Everett v. Belding, 22 L. J. Ch. 75, 562
v. Cedar Rapids, &c., R. Co., 28 Iowa, 417, 1054
v. Central Iowa R. Co., 73 Iowa, 442, 1219
v. Chicago, &c., R. Co., 69 Iowa, 15, 1594, 1603
v. Great Northern R. Co., 111 N. W. 281, 1158, 1179e, 1264
v. Los Angeles, &c., Co. (Cal.) 43 Pac. 207, 1095
v. Marquette, 53 Mich. 450, 1085
v. Norfolk, &c., R. Co., 138 N. Car. 68, 1510, 1516
v. Oregon, &c., R. Co., 9 Utah, 340, 1582, 1629
v. Southern, &c., Co., 46 Ga. 303, 1491
v. Union Pacific R. Co., 59 Iowa, 243, 995
Evergreen, &c., Assn. v. Beecher, 53 Conn. 551, 1025
v. New Haven, 43 Conn. 234, 964, 974
Everhart v. Terre Haute, &c., Co., 78 Ind. 292, 215, 225, 1305
v. West Chester, &c., R. Co., 28 Pa. St. 339, 106
Eversfield v. Mid-Sussex, &c., R. Co., 1 Giff. 153, 392, 629, 960
Evershed v. London, &c., R. Co., L. R. 3 Q. B. D. 134, 1467, 1564, 1678
v. London, &c., R. Co., 2 Q. B. Div. 254, 1518
Evertson v. National Bank, 66 N. Y. 14, 484, 486, 487
Evison v. Chicago, &c., R. Co., 45 Minn. 370, 670, 672, 1082, 1096af
Ewald v. Chicago, &c., R. Co., 70 Wis. 420, 1251, 1303, 1303a
Ewan v. Lippincot, 47 N. J. Law, 192, 1316
Eward v. Lawrenceburgh, &c., R. Co., 7 Ind. 711, 1048
Ewart v. Kerr, Rice L. (S. Car.) 203, 1570, 1572
v. Kerr, 2 McMul. S. C. 141, 1738
v. Street, 2 Bailey L. (S. Car.) 157, 1481, 1718
Ewell v. Skiddy, 77 N. Y. 282, 1559
Ewing v. Alabama, &c., R. Co., 68 Miss. 551, 960, 962
v. Composit Co., 169 Mass. 72, 535
v. Johnson, 34 How. Pr. (N. Y.) 202, 633
v. Pittsburgh, &c., R. Co., 147 Pa. St. 40, 1263, 1816, 1817
v. St. Louis, 5 Wall. (U. S.) 413, 1055
v. Toronto R. Co., 24 Ont. Rep. 649, 1096ce
Excelsior Draining Co. v. Brown, 47 Ind. 19, 616
Excelsior, &c., Co. v. Lacey, 63 N. Y. 422, 280, 318
v. Pierce, 90 Cal. 131, 312
Exchange Alley, In re, 4 La. Ann. 4, 1034
Exchange Bank v. Macon, &c., Co. 97 Ga. 1, 324
Exchange Banking Co., In re, L. R. 21 Chan. Div. 519, 318
Exchange National Bank v. Capps, 32 Neb. 242, 617
Exchange of Free Transportation, In re, 12 Int. Com. 46, 1688
Exeter Bank v. Rogers, 7 N. H. 21, 209, 232
Ex-Mission Land Co. v. Flash, 97 Cal. 610, 10, 12
Export Rates, In re, 8 I. C. C. 185, 1684l
Express Cases, 117 U. S. 1, 636
Express Company v. Caldwell, 21 Wall. (U. S.) 264, 1512
v. Fuller, 13 Tex. Civ. App. 610, 1577b
v. Jackson, 92 Tenn. 326, 1457
v. Kountze, 8 Wall. (U. S.) 342, 1458, 1490
v. Railroad Co., 99 U. S. 191, 350, 351, 579
Exposition R., &c., Co. v. Canal St. E. R. Co., 42 La. Ann. 370, 111, 111a
Extension of Second Street, 23 Pa. St. 346, 969
Extinguisher Co. v. Railroad Co., 137 N. Car. 278, 1457a
Exton v. Railroad Co., 62 N. J. L. 7, 1579
Eyck v. Harris, 47 Ill. 268, 1526
Eyerman v. Krieckhaus, 7 Mo. App. 455, 181
Eyler v. County Comrs., 49 Md. 257, 332, 787, 1092, 1096al, 1096an

F

Fabel v. Cleveland, &c., R. Co., 30 Ind. App. 268, 1373
Faber v. Chicago, &c., R. Co., 62 Minn. 433, 1096da
v. St. Paul, &c., R. Co., 29 Minn. 465, 711, 1158, 1698
Facey v. Hurdom, 3 B. & C. 213, 1494
Fackiner v. Grand Junction R. Co., 4 Ont. R. Ch. Div. 350, 250

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Factors', &c., Co. v. Marine, &c., Co., 31 La. Ann. 149, 98
Fagan v. Boyle, &c., Co., 65 Tex. 324, 1070
Fagundes v. Cent. Pac. R. Co., 79 Cal. 97, 1268, 1332, 1702
Fahr v. Manhattan R. Co., 9 Misc. (N. Y.) 57, 1757
Fahrig v. Milwaukee, &c., R. Co., 113 Ill. App. 525, 79
Failey v. Talbee, 55 Fed. R. 892, 555
Fairbank v. Cincinnati, &c., R. Co., 54 Fed. R. 420, 624
v. United States, 181 U. S. 283, 754
Fairbanks v. Bangor, &c., R. Co., 95 Me. 78, 1096bc, 1096bq
v. Fitchburg, 110 Mass. 224, 994, 1038
v. Humphreys, 18 Q. B. Div. 54, 493
Fairbanks & Co. v. Cincinnati, &c., R. Co., 66 Fed. R. 471, 1446, 1513
v. MacLeod, 8 Colo. App. 190, 282
Fairchild v. Philadelphia, &c., R. Co., 148 Pa. St. 527, 1506
v. St. Paul, 46 Minn. 540, 972
v. Slocum, 19 Wend. 329, 1445, 1455, 1694
Fairfax v. New York, &c., R. Co., 73 N. Y. 167, 1647, 1648, 1657, 1658, 1660, 1662a
v. New York, &c., R. Co., 37 N. Y. Super Ct. 516, 1651
Fairfield's Appeal, Town of, 57 Conn. 167, 1109
Fairfield v. Gallatin, 100 U. S. 47, 819, 832, 842
v. Ratcliff, 20 Iowa, 396, 782
v. Rural Independent School Dist. 116 Fed. 838, 897
Fairfield Co. Turnp. Co. v. Thorp, 13 Conn. 173, 134, 136, 141, 170, 194, 195, 269
Fairfield Savings Bank v. Chase, 72 Me. 226, 226, 268, 269
Fair Haven, &c., Co. v. New Haven, 38 Conn. 422, 787
Fair Haven, &c., R. Co. v. New Haven, 75 Conn. 442, 1096ak, 1096am
Fairview v. Winona, &c., R. Co., 36 Minn. 505, 900
Fairview R. Co. v. Spillman, 23 Ore. 587, 36, 111, 111a, 115, 175
Faison v. Alabama, &c., R. Co., 69 Miss. 569, 1450
Faith v. New York, &c., R. Co., 95 N. Y. S. 774, 1353
Falconer v. Buffalo, &c., R. Co. 69 N. Y. 491, 820, 826, 832, 852, 862, 890
Fales v. Chicago, &c., R. Co., 32 Fed. R. 673, 646, 649
Falk v. New York, &c., R. Co., 56 N. J. L. 380, 1689c
Falkiner v. Grand Junction R. Co., 4 Ont. Rep. 350, 208, 251
Falkner v. Ohio, &c., R. Co., 55 Ind. 369, 1629
Fall v. Sutter Co., 21 Cal. 237, 32
Fall River Iron Works Co. v. Old Colony, &c., R. Co., 5 Allen (Mass.), 221, 38, 41, 919, 920, 954
Fallon v. Railroad Co., 1 Dill. (U. S. C. C.) 121, 642, 1062
v. West End St. R. Co., 171 Mass. 249, 1334, 1096bw
Falls v. San Francisco, &c., R. Co., 97 Cal. 114, 1641
Falls Wire, &c., Co. v. Broderick, 2 McCrary (U. S. C. C.) 489, 648
Falvey v. Georgia R. Co., 76 Ga. 597, 1435, 1439, 1441
v. Northern Transp. Co., 15 Wis. 129, 1417
v. Richmond, 87 Ga. 99, 1414
Famous Shoe, &c., Co. v. Eagle, &c., Works, 51 Mo. App. 66, 295, 355
Fancher v. Fonda, &c., R. Co., 97 N. Y. 666, 1096bq
v. New York, &c., R. Co., 75 Hun, 350, 1297
Fanning v. Insurance Co., 37 Ohio St. 339, 102, 103
v. Osborne, 34 Hun (N. Y.), 121, 1087
v. Osborne, 102 N. Y. 441, 718, 1077, 1088, 1090
v. St. Louis, &c., R. Co., 86 S. W. 354, 1581a
Farbell v. Central Pac. R. Co., 34 Cal. 616, 1096da
v. Rutland R. Co., 73 Vt. 347, 1381
Farber v. Missouri, &c., Co., 116 Mo. 81, 214, 1255
v. Missouri Pac. R. Co., 139 Mo. 272, 1689l
v. Missouri Pac. Co., 32 Mo. App. 378, 214
Fares v. Rio Grande Western R. Co., 28 Utah, 132, 922
Farewell v. Grand Trunk R. Co., 15 U. C. C. P. 2484, 1598
Fargo, v. Hart, 193 U. S. 490, 751, 752, 755
v. Michigan, 121 U. S. 230, 658, 676, 758, 764, 765, 1673
v. Redfield, 22 Fed. R. 373, 1564
Faris v. Brooklyn, &c., R. Co., 61 N. Y. S. 670, 1096cz
v. Hoberg, 134 Ind. 269, 1154, 1163, 1248, 1250, 1251, 1389f, 1702
v. Reynolds, 70 Ind. 359, 859, 893a
Farish v. Reigle, 62 Am. Dec. 666, 1644
Farist Steel Co. v. City of Bridgeport, 60 Conn. 278, 977
Farkas v. Towns, 103 Ga. 150, 1057f
Farley v. Chicago, &c., R. Co., 42 Iowa, 234, 1097, 1102
v. Cincinnati, &c. R. Co., 108 Fed. 14, 1578b
v. Philadelphia, &c., Co., 132 Pa. St. 58, 1644
v. Wilmington, &c., Elec. R. Co., 3 Pen. (Del.) 581, 1689g
Farlow, Ex parte, 2 B. & Ad. 341, 1025
Farlow v. Kelly, 108 U. S. 288, 576, 1589, 1633, 1636
Farman v. Lauman, 73 Ind. 568, 1803
Farmer v. Kearney, 115 La. Ann. 722, 1351
v. Luidell R. Co., 180 Mo. 1, 328
v. Myles, 106 La. Ann. 333, 65
v. National, &c., Assn., 138 N. Y. 265, 654
v. Wilmington, &c., R. Co., 88 N. Car. 564, 1180, 1209, 1251
v. Wyles, 106 La. Ann. 333, 1096g
Farmers' Bank of Maryland's Case, 2 Bland's Ch. (Md.) 394, 101

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Farmers' Bank v. Commonwealth, 6 Bush, 127, 746
v. Iglehart, 6 Gill (Md.), 50, 100
v. St. Louis, &c., R. Co., 119 Mo. App. 1, 1424
v. Wabash R. Co., 119 Mo. App. 1, 1755
v. Empire Stone Dressing Co., 5 Bosw. (N. Y.) 275, 351
Farmers' Grain, &c., R. Co. v. St. Joseph, &c., Co., 2 Fed. R. 117, 463
Farmers' L. & T. Co., Ex parte, 129 U. S. 206, 518, 591
Farmers' L. & T. Co. v. Ansonia, 61 Conn. 76, 786, 787a, 1092
v. Bankers', &c., Co., 119 N. Y. 15, 534
v. Bankers', &c., Co., 44 Hun (N. Y.), 400, 507, 515
v. Canada, &c., R. Co., 127 Ind. 250, 500
v. Canada, &c., R. Co., 11 L. R. A. 740, 1071
v. Candler, 87 Ga. 241, 1069
v. Cape Fear, &c., R. Co., 71 Fed. 38, 508
v. Cape Fear, &c., R. Co., 62 Fed. R. 675, 561
v. Cape Fear, &c., R. Co., 82 Fed. 344, 522
v. Cary, 13 Wis. 110, 497, 498
v. Central R., 4 Dill. (U. S.) 533, 516, 524
v. Central R. Co., 1 McCrary, (U. S.), 352, 583
v. Central R. Co., 7 Fed. R. 537, 580, 587
v. Central R. Co., 8 Fed. R. 60, 584
v. Central R. Co., 17 Fed. R. 758, 526
v. Centralia, &c., R. Co., 96 Fed. 636, 595
v. Chicago, &c., R. Co., 163 U. S. 31, 92
v. Chicago, &c., R. Co., 68 Fed. R. 412, 511
v. Chicago, &c., R. Co., 9 Biss. (U. S.) 133, 650
v. Chicago, &c., R. Co., 27 Fed. 146, 158, 501, 514, 522, 540, 542, 543, 561
v. Commercial Bank, 15 Wis. 424, 497
v. Commercial Bank, 11 Wis. 207, 389, 497, 498
v. Grape Creek, &c., Co., 65 Fed. R. 717, 517
v. Grape Creek, &c., Co., 50 Fed. R. 481, 590
v. Green Bay, &c., R. Co., 45 Fed. R. 664, 577
v. Green Bay, &c., R. R. Co., 6 Fed. R. 100, 487, 515, 521, 529
v. Green Bay, &c., R. Co., 11 Biss. (U. S.) 334, 378
v. Hendrickson, 25 Barb. (N. Y.) 484, 31, 389
v. Henning, 17 Am. L. Reg. (N. S.) 266, 458, 638
v. Kansas City, W. & N. W. R. Co., 53 Fed. R. 182, 508, 521, 528, 590
v. Minneapolis, &c., Works, 35 Minn. 543, 537
v. New York, &c., R. Co., 78 Hun. 213, 167, 169, 513
Farmers' L. & T. Co. v. Newman, 127 U. S. 649, 500, 523
v. Northern Pacific R. Co., 60 Fed. R. 803, 575, 633, 1688
v. Northern Pac. R. Co., 61 Fed. R. 546, 561
v. Northern Pac. R. R. Co., 68 Fed. R. 36, 528, 590
v. Northern Pac. R. Co., 120 Fed. 873, 567, 1423
v. Northern Pac. R. Co., 66 Fed. 169, 508
v. Northern Pac. R. Co., 69 Fed. 871, 554, 555
v. Nova Scotia, &c., R. Co., 24 N. S. 542, 507, 514
v. Oregon, &c., R. Co., 24 Fed. R. 407, 507, 522
v. Oregon, &c., R. Co., 73 Fed. R. 1003, 1533
v. Oregon Pac. R. Co., 31 Ore. 237, 537
v. Oregon Pac. R. Co., 28 Ore. 44, 524
v. Petitioner, 129 U. S. 206, 591
v. Pine Bluff, &c., Ry. Co., 57 Ark. 334, 528
v. Rockaway, &c., R. Co., 69 Fed. R. 9, 529
v. St. Jo, &c., Railroad Co., 3 Dill. (U. S.) 412, 31, 389, 494
v. San Diego, &c., Co., 40 Fed. R. 105, 512
v. San Diego, &c., Ry. Co., 45 Fed. R. 518, 513, 604
v. Stone, 20 Fed. R. 270, 705
v. Stuttgart R. Co., 92 Fed. 246, 500
v. Texas Western R. Co., 32 Fed. R. 359, 512
v. Toledo, &c., R. Co., 67 Fed. R. 49, 167, 323, 337, 373, 492, 493
v. Toledo, &c., R. Co., 54 Fed. R. 759, 355, 484, 489, 510
v. Vicksburg, &c., R. Co., 33 Fed. R. 778, 500
v. Winona, &c., R. Co., 59 Fed. R. 957, 506, 514, 546
Farmers' Mut. Ins. Co. v. Chase, 56 N. H. 341, 224
Farmers' National Bank v. Backus, 74 Minn. 264, 584
Farmers', &c., Bank v. Champlain, &c., Co., 16 Vt. 52, 1519, 1522, 1527
v. Champlain, &c., Co., 18 Vt. 131, 95
v. Champlain, &c., Co., 23 Vt. 186, 1435, 1501, 1522
v. Detroit, &c., R. Co., 17 Wis. 372, 378
v. Erie R. Co., 72 N. Y. 188, 1429
v. Haney, 87 Iowa, 101, 99
v. Harrison, 57 Mo. 503, 369
v. Logan, 74 N. Y. 568, 1426, 1535
v. Payne, 25 Conn. 444, 268
v. Sutton, &c., Co., 52 Fed. R. 191, 351
v. Wasson, 48 Iowa, 336, 99, 193
v. Young, 36 Iowa, 44, 1700
Farmers', &c., Ins. Co. v. Needles, 52 Mo. 17, 555, 568, 570
v. Canada, &c., R. Co., 127 Ind. 250, 790, 1061, 1065, 1070, 1071, 1072, 1074
v. Chicago, &c., R. Co., 39 Fed. R. 143, 795

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Farmers' &c., Ins. Co. v. Gill, 69 Md. 537, 1414
v. Toledo, &c., R. Co., 67 Fed. R. 73, 1306, 1378
v. White, 5 Colo. App. 1, 383
Farming v. Osborne, 102 N. Y. 441, 1096d
Farmington v. Pillsbury, 114 U. S. 138, 916
Farmington, &c., Bank v. Fall, 71 Me. 49, 375, 381
Farmington, &c., Co. v. Chicago, &c., R. Co., 166 Mass. 154, 1450
v. County Commissioners, 112 Mass. 206, 704
Farmon v. Boston, &c., R. Co., 180 Mass. 212, 1589, 1633
Farnham v. Benedict, 107 N. Y. 159, 801, 848, 873, 893, 912
v. Camden, &c., R. Co., 55 Pa. St. 53, 1417, 1504, 1516
v. Delaware, &c., Co., 61 Pa. St. 265, 957
Farnsworth v. Boston, 126 Mass. 1, 1025, 1049c
v. Lime Rock R. Co., 83 Me. 440, 35, 52, 1027
v. Minnesota, &c., R. Co., 92 U. S. 49, 489, 794, 802
v. Robbins, 36 Minn. 369, 176
v. Terre Haute, &c., R. Co., 29 Mo. 75, 624
v. Wood, 91 N. Y. 308, 187
Farnum v. Ballard, &c., Shop, 12 Cush. (Mass.) 507, 618
v. Blackstone Canal Corp., 1 Sum. (U. S.) 46, 28
v. Haverhill &c., St. R. Co., 178 Mass. 300, 1096a
Farquhar v. Alabama, &c., R. Co., 78 Miss. 193, 1327a
Farrand v. Chicago, &c., R. Co., 21 Wis. 435, 1037, 1038
Farrar v. East Tenn., &c., R. Co., 1 Int. Com. 764, 1684g
v. Midland Elec. R. Co., 101 Mo. App. 140, 989, 994
v. St. Louis, 80 Mo. 379, 781, 783
v. Stackpole, 6 Greenl. 155, 31, 389
v. Walker, 13 Nat. Bankr. Reg. 82, 132, 176
v. Wheeler, 145 Fed. 482, 1822, 1828
Farrell v. Erie R. Co., 138 Fed. 28, 1166a, 1179a
v. Great Northern R. Co., 111 N. W. 388, 1629, 1642a
v. Richmond, &c., R. Co., 102 N. Car. 390, 1539, 1539a, 1543, 1543a, 1570
v. Union Trust Co., 77 Mo. 475, 577, 1208
v. Winchester Ave., &c., Co., 61 Conn. 127, 1080, 1096q, 1096r
Farrell Foundry v. Dart, 26 Conn. 376, 268
Farrington v. South Boston R. Co., 150 Mass. 406, 79, 80, 288
v. Tennessee, 95 U. S. 679, 76, 1096o
Farris v. Cass Ave., &c., R. Co., 80 Mo. 325, 1096cp, 1262
Farron v. Com'rs., 97 Ky. 119, 879
Farrow v. Bivings, 13 Rich. Eq. (S. C.) 25, 183
Farwell v. Boston, &c., Co., 4 Metc. (Mass.) 49, 234, 1316
Farwell v. Boston, &c., R. Co., 72 N. H. 335, 1140
v. Gt. Eastern Te. Co., 161 Ill. 522, 320
v. Houghton Copper Works, 8 Fed. R. 66, 164, 262
v. Wolfe, 96 Wis. 10, 938a
Fash v. Third Ave. R. Co., 1 Daly (N. Y.), 148, 1092, 1096r, 1096cb
Fassett v. Ruark, 3 La. Ann. 694, 1420, 1422
Fasy v. International Nav. Co., 77 App. Div. (N. Y.) 469, 1725
Fath v. Tower Grove, &c., R. Co., 105 Mo. 537, 1095, 1096cb, 1155
Fatman v. Cincinnati, &c., R. Co., 2 Disn. (Ohio) 248, 1440, 1449
Faucher v. Wilson, 68 N. H. 338, 1481
Fauids v. Yates, 57 Ill. 416, 174
Faulkner v. Boston, &c., R. Co., 187 Mass. 254, 1644
v. Chicago, &c., R. Co., 99 Mo. App. 421, 803
v. Hart, 44 N. Y. Sup. Ct. 471, 1393, 1463, 1527
v. Hart, 82 N. Y. 413, 1507
v. Mammouth Min. Co., 23 Utah, 437, 1304
v. Wright, Rice L. (S. Car.) 107, 1455
Faull v. Alaska, &c., Min. Co., 8 Sawyer (U. S.), 420, 182
Faunce v. Burke, 16 Pa. St. 469, 1058, 1059, 1061
Faust v. Chicago, &c., R. Co., 104 Ia. 241, 1549
v. South Car., &c., R. Co., 8 So. Car. 118, 1461, 1537
v. Southern R. Co., 74 S. Car. 360, 1542
Favor v. Boston, &c., R. Co., 114 Mass. 350, 1155, 1158, 1264
Favorite v. Deardorf, 84 Ind. 555, 563
Favre v. Louisville, &c., R. Co., 91 Ky. 541, 1633
Fawcett v. Laurie, 1 Dr. & Sm. 192, 309, 310, 317, 634
v. York, &c., R. Co., 16 Q. B. 610, 1190
v. Supreme Sitting, &c., 64 Conn. 170, 555
Fay v. Minneapolis, &c., R. Co., 30 Mich. 231, 1275, 1279, 1294, 1327, 1338
v. Salem, &c., Co., 111 Mass. 27, 977
v. Wheeler, 44 Vt. 292, 92
Fayerweather v. Phoenix Ins. Co., 118 N. Y. 324, 1509
Fayette Land Co. v. Louisville, &c., R. Co., 93 Va. 274, 405
Fayetteville St. R. v. Aberdeen, &c., R. Co., 55 S. E. 345, 921, 922a, 926, 1096a, 1096f, 1096i 1096z, 1096bl
v. Hunt, 51 Ark. 330, 1028
Fayssoux v. Succession of Baronness De Chaurand, 36 La. Ann. 547, 783
F. C. Austin Mfg. Co. v. Clendenning, 21 Ind. App. 459, 1689d
Fearon v. Bowers, 1 H. Bl. 364, 1523
Fearons v. Kansas City, &c., R. Co., 180 Mo. 208, 1257
Feary v. Metropolitan St. R. Co., 162 Mo. 75, 1830
Featherstone v. Cooke, L. R. 16 Eq. 298, 542, 547, 550

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Fechheimer v. Baum, 37 Fed. R. 167, 702
Feckheimer v. Nat. Bank, 79 Va. 80, 92
Feckley v. Springfield Trac. Co., 96 S. W. 421, 1174
Federal Street, &c., R. Co., v. Gibson, 96 Pa. St. 83, 1096bt, 1644
Fee v. New Orleans, &c., Co., 35 La. Ann. 413, 327, 335, 606
v. Swingly, 6 Mont. 596, 501
Feeback v. Missouri Pac. R. Co., 167 Mo. 206, 1250, 1581a
Feeney v. Long Island, &c., R. Co., 116 N. Y. 375, 1171, 1799, 1800
v. Wabash R. Co., 99 S. W. 477, 656a
Fehr v. Schuylkill Nav. Co., 69 Pa. St. 161, 1004, 1005, 1048
Feinberg v. Delaware, &c., R. Co., 52 N. J. Law, 451, 1455, 1457, 1548, 1553, 1555
Feise v. Wray, 3 East 93, 1540
Felson v. Hardy, 114 N. Car. 58 650
Feital v. Middlesex R. Co., 109 Mass. 398, 303, 471, 474, 1402
Felten v. Milwaukee, 47 Wis. 494, 1031, 1032
Felch v. Allen, 98 Mass. 572, 1303
v. Gilman, 22 Vt. 38, 1050, 1052
Felder v. Columbia, &c., R. Co., 21 So. Car. 35, 1445, 1658
Feldman v. Charleston, 23 S. C. 57, 814
Fell v. Northern Pac. R. Co., 44 Fed. 248, 1637, 1802, 1816
Fellows v. Gilman, 4 Wend. (N. Y.) 414, 506
v. Hermans, 13 Abb. Pr. N. S. (N. Y.) 1, 538
v. Smith, 131 Mass. 363, 627
v. Steamer Powell, 16 La. Ann. 316, 303, 1419
Felska v. New York, &c., R. Co., 152 N. Y. 339, 1689i
Felt v. Boston, &c., R. Co., 161 Mass. 311, 1357
Feltham v. England, L. R. 2 Q. B. 33, 1288
Felton v. Chicago, &c., R. Co., 69 Iowa, 577, 1591, 1639
v. Chicago, &c., R. Co., 86 Mo. App. 332, 1659
v. Clarkson, 103 Tenn. 457, 1750
v. Harbeson, 104 Fed. 737, 1300
v. Horner, 97 Tenn. 579, 1633
Female, &c., Asylum v. Johnson, 43 Me. 180, 258
Fenderson v. Atlantic City R. Co., 56 N. J. Law, 708, 1278, 1296, 1299, 1309, 1697
Fenkhausen v. Fellows, 20 Nev. 312, 1539
Fenn v. Holme, 21 How. 481, 1663
Fenner v. Buffalo, &c., R. Co., 44 N. Y. 505, 1463, 1464, 1518, 1527, 1528
Fent v. Toledo, &c., R. Co., 59 Ill. 349, 1231
Fentiman v. Atchison, &c., R. Co., 98 S. W. 939, 1457a, 1534, 1535, 1718
Fenton v. Second Ave. R. Co., 56 Hun, N. Y. 99, 1096cq
Fenwick v. East London, &c., R. Co., L. R. 20 Eq. 544, 1057
v. Schmalz, L. R. 3 C. P. 313, 1455
Fergason v. Chicago, &c., R. Co., 63 Fed. R. 177, 650
Fergason v. Galt Public School, 27 Ont. App. 480, 1356
Ferguson v. Cappeaun, 6 Har. & J. (Md.) 394, 1713
v. Columbus, &c., R. Co., 75 Ga. 637, 1689i
v. Columbus, &c., R. Co., 77 Ga. 102, 1259, 1262
v. Dent, 46 Fed. R. 88, 584
v. Despo, 8 Ind. App. 523, 1068
v. Landram, 1 Bush, 548, 1008
v. Railroad Co., 98 Mich. 533, 1594
v. Ross, 38 Fed. R. 161, 646, 655
v. Smith, 36 N. Y. S. 415, 1283
v. Stamford, 60 Conn. 432, 889
v. Virginia, &c., R. Co., 13 Nev. 184, 1102
v. Washington, &c., R. Co. (D. C. App.) 23 Wash. Law R. 407, 1368
v. Wisconsin, &c., R. Co., 63 Wis. 145, 1162, 1573, 1701, 1777
Fergusson v. Brent, 12 Md. 9, 1455
Ferlen v. St. Paul, &c., R. Co., 70 Minn. 532, 1096cj, 1168
Fernandes v. Sacramento, &c., R. Co., 52 Cal. 45, 1163
Fernow v. Chicago, &c., R. Co., 75 Iowa, 526, 931
v. Dubuque, &c., R. Co., 22 Iowa, 528, 1181, 1188
Fero v. Buffalo, &c., R. Co., 22 N. Y. 209, 1156, 1161, 1228, 1238, 1244, 1493
Ferris v. Bramble, 5 Ohio St. 109, 1050
v. Craven, 65 Ind. 262, 806
v. Interurban St. R. Co., 89 App. Div. (N. Y.) 361, 1840
v. Reynolds, 70 Ind. 359, 859a
v. Van Buskirk, 18 Ind. 215, 1184
Ferry v. Bank, 15 How. Pr. (N. Y.) 445, 586
Fertich v. Michener, 111 Ind. 472, 202
Fertilizing Co. v. Hyde Park, 97 U. S. 659, 39, 671, 1096s
Festner v. Omaha, &c., R. Co., 17 Neb. 280, 1704
Fewings v. Mendenhall, 88 Minn. 336, 1096cx, 1591, 1639
v. Mendenhall, 83 Minn. 237, 1591b
Fey v. Peoria, &c., Co., 32 Ill. App. 618, 241
Fezler v. Willmar, &c., R. Co., 85 Minn. 252, 1190, 1261
Ffooks v. London, &c., Co., 19 Eng. L. & Eq. 7, 376
v. London, &c., R. Co., 17 Jur. 365, 167
v. Southwestern Ry., 1 Sm. & G. 142, 89
Fibel v. Livingston, 64 Barb. (N. Y.) 179, 1502
Fick v. Chicago, &c., R. Co., 68 Wis. 469, 1096dc, 1265, 1638
Fickle v. St. Louis, &c., R. Co., 54 Mo. 219, 1214
Ficklen v. Shelby County Taxing Dist., 145 U. S. 1, 759
v. Wabash, &c., R. Co., 117 Mo. App. 221, 1504
v. Wabash R. Co., 117 Mo. App. 211, 1555
Fidelity Insurance, &c., Co.'s Appeal, 106 Pa. St. 144, 532, 534
Fidelity Ins. Co. v. Huntington, 117 U. S. 280, 650

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Fidelity Ins. Co. v. Roanoke St. R. Co., 98 Fed. 475, 536
v. Shenandoah, &c., Co., 42 Fed. R. 372, 591
v. Shenandoah, &c., R. R. Co., 86 Va. 1, 487, 528, 580
v. Shenandoah Valley R. R. Co., 32 W. Va. 244, 491, 512
v. Western Penna, &c., R. Co., 138 Pa. St. 494, 484, 490
Fidelity Trust Co. v. Hoboken &c., R. Co. (N. J. Ch.) 63 Atl. 273, 1096bl
v. Lehigh, &c., R. Co., 215 Pa. St. 610, 321
Fidelity Trust & Safety Vault Co. v. Mobile St. R. Co., 53 Fed. R. 687, 32, 565, 575, 967, 1083
v. Mobile St. Ry. Co., 53 Fed. R. 850, 621
v. Douglas, 104 Iowa, 532, 6
v. Mobile, &c., Ry. Co., 54 Fed. R. 26, 529
v. Philadelphia, &c., Co., 6 Pa. Dist. R. 737, 1096be
v. Roanoke, &c., Co., 68 Fed. R. 623, 590
v. Robertson, 136 Ala. 379, 1060a
v. West Pennsylvania, &c., R. Co., 138 Pa. St. 404, 373, 485, 487
Fiedler v. St. Louis, &c., R. Co., 107 Mo. 645, 1250
Field v. Barber, &c., Co., 117 Fed. 925, 1096t
v. Barling, 149 Ill. 556, 630, 631
v. Carnarvon, &c., R. Co., L. R. 5 Eq. Cas. 190, 1049
v. Chicago, &c., R. Co., 71 Ill. 458, 1723
v. Delaware, &c., R. Co., 69 N. J. L. 433, 1628b, 1644
v. Field, 9 Wend. (N. Y.) 394, 161
v. Jones, 11 Ga. 413, 586, 626
v. Lamson, &c., Co., 162 Mass. 388, 83, 86, 312
v. Newport, &c., R. Co., 3 H. & N. 409, 1571
v. N. Y. Central R. R. Co., 29 Barb. (N. Y.) 176, 21
v. New York, &c., R. Co., 32 N. Y. 339, 1243 1243a, 1472
v. Pierce, 102 Mass. 253, 78
v. Post, 38 N. J. L. 346, 497
Field & Co. v. Cooks, 16 La. Ann. 153, 18, 190
Fielders v. New Jersey St. R. Co., 68 N. J. 343, 1096ag, 1096aj
Fields v. United States, 27 App. (D. C.) 433, 601
Fiery v. Emmert, 36 Md. 464, 183
Fietsam v. Hay, 122 Ill. 293, 63, 67, 68, 1096ad
Fifer v. Ritter, 159 Ind. 8, 1040a
Fifth Avenue Bank v. Forty-Second St., &c., Co., 137 N. Y. 231, 79, 92, 288
Fifth National Bank v. Bayley, 115 Mass. 228, 1426, 1429, 1429a
v. New York El. R. Co., 28 Fed. 231, 1049e
Fifty-four First Mortgage Bonds, In re, 15 S. C. 304, 546, 561
Fike v. Boston, &c., R. Co., 53 N. Y. 749, 1316
Filder v. London, &c., R. Co., 1 H. & Miller 489, 167
Filed v. Chicago, &c., R. Co., 14 Fed. R. 332, 1156, 1157
Filer v. New York, &c., R. Co., 49 N. Y. 42, 1799, 1800
v. New York, &c., R. Co., 49 N. Y. 47, 1628, 1643, 1822
Files v. Boston, &c., R. Co., 149 Mass. 204, 1580, 1581, 1632
Filing Copies, &c., In Re, 1 Interst. Com. R. 76, 1686
Fillebrown v. Grand Trunk R. Co., 55 Me. 462, 1407, 1417, 1454, 1500, 1507, 1516
Fillingham v. Transit Co., 102 Mo. App. 573, 1096cr, 1759, 1831
Filon v. Miller, &c., Co., 15 N. Y. Supp. 57, 256
Finalyson v. Utica, &c., R. Co., 67 Fed. R. 507, 1302
Finance Co. v. Charleston, &c., R. Co., 45 Fed. R. 436, 561
v. Charleston, &c., R. Co., 48 Fed. R. 188, 528
v. Charleston, &c., R. Co., 61 Fed. R. 369, 521, 528
v. Charleston, &c., R. R. Co., 62 Fed. R. 205, 528
Finance, &c., Co. v. Charleston, &c., R. Co., 52 Fed. 526, 585
Finch v. Central, &c., R. Co., 42 Iowa, 304, 1218
v. Gregg, 126 N. Car. 176, 1429a
v. Northern Pac. R. Co., 47 Minn. 36, 1594, 1603, 1801
Findlay v. Russell Wheel, &c., Co., 108 Mich. 286, 1283, 1317
Fink v. Canyon, &c., 5 Ore. 301, 411
v. Evans, 95 Tenn. 413, 1190, 1206
v. Milwaukee, 17 Wis. 26, 1698
v. Newark, 40 N. J. L. 11, 1006
v. O'Neil, 106 U. S. 272, 806
v. St. Louis, 71 Mo. 52, 1092
Finklestein v. N. Y., &c., R. Co., 41 Hun, 34, 1156, 1172
Finlay v. King, 3 Pet. (U.S.) 346, 940
Finlayson v. Chicago, &c., R. Co., 1 Dill. 579, 1152, 1154, 1248
Finley v. Hudson, &c., R. Co., 64 Hun, 373, 1096cs
v. West Chicago St. R. Co., 90 Ill. App. 368, 1096cl
Finn v. Brown, 142 U. S. 56, 97, 315
v. Michigan Cent. R. Co., 98 Mich. 226, 1284
v. Providence Gas, &c., Co., 99 Pa. St. 631, 996
v. Vallejo, &c., Co., 7 Cal. 253, 1313
v. Western R. Corp. 102 Mass. 283, 1429a, 1532
v. Western R. Co., 112 Mass. 524, 1393, 1692
Finnegan v. Chicago, &c., R. Co., 48 Minn. 378, 1592
v. Gas Works Co., 158 Mass. 311, 1338
v. Noerenberg, 52 Minn. 239, 190
Finnell v. Delaware, &c., R. Co., 129 N. Y. 669, 1272, 1296, 1314
Finney v. Lamb, 54 Ind. 1, 872
v. Somerville, 80 Pa. St. 59, 1
Finnick v. Boston, &c., St. R. Co., 190 Mass. 382, 1096bq, 1096cj
Fire Insurance Patrol v. Boyd, 120 Pa. St. 624, 223, 1388
Firebaugh v. Seattle Elec. Co., 40 Wash. 658, 1096cu, 1096cp, 1644

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Firemen's Ins. Co. v. Seaboard Air Line R. Co., 138 N. Car. 42, 1689l
Firkins v. Chicago, &c., R. Co., 61 Minn. 31, 1689l
First Ave. Land Co. v. Hilderbrand, 103 Wis. 530, 10
v. Parker, 111 Wis. 1, 89
First Division of St. Paul, &c., R. Co. v. Parcher, 14 Minn. 297, 525, 531
v. St. Paul, 21 Minn. 526, 784
First M. E. Church v. Atlanta, 76 Ga. 181, 370
First National Bank v. Almy, 117 Mass. 476, 190, 619
v. Anderson, 75 Va. 250, 498
v. A. E. Appleyard & Co., 138 Fed. 939, 653
v. Arlington, 16 Blatchf. 57, 881
v. Armstrong, 101 Ind. 244, 625
v. Asheville, &c., Co., 116 N. C. 827, 345
v. Badger, &c., Co., 54 Mo. App. 327, 229
v. Brooks, 22 Ill. App. 238, 372
v. Burch, 76 Mich. 608, 624
v. Colby, 21 Wall. (U. S.) 609, 55
v. Concord, 50 Vt. 257, 828, 835
v. Crocker, 111 Mass. 163, 1426, 1429, 1429a
v. Davenport, &c., Railroad Co., 45 Iowa, 120, 626
v. Davies, 43 Iowa, 424, 190
v. Dearborn, 115 Mass. 219, 1426, 1428, 1429a
v. District Township, 86 Iowa, 330, 845, 898
v. Dovetail, &c., Co., 143 Ind. 550, 110
v. Ege, 109 N. Y. 120, 1430
v. Gifford, 47 Iowa, 575, 78, 97, 226, 268
v. Greene, 64 Iowa, 445, 179
v. Gustin, &c., Co., 42 Minn. 327, 89, 91, 175
v. Hartford, &c., Co., 45 Conn. 22, 101
v. Hendre, 49 Iowa, 402, 121, 362, 387
v. Hurford, 29 Iowa, 579, 13a, 128
v. Lake Erie, &c., R. Co., 174 Ill. 36, 1243a
v. McAndrews, 5 Mont. 325, 1415
v. Marietta, &c., R. Co., 20 Ohio St. 259, 1647, 1654
v. Meyer, 43 La. Ann. 1, 1540, 1541
v. Mt. Pleasant, &c., Co., 103 Ga. 518, 1428
v. National, &c., Bank, 92 U. S. 122, 95
v. Northern Railroad Co., 58 N. H. 203, 1426, 1523, 1526
v. Ocean Nat. Bank, 60 N. Y. 278, 278
v. Perris, &c., Dict., 107 Cal. 55, 1068
v. Portland, &c., R. Co., 2 Fed. R. 831, 626
v. Price, 33 Md. 487, 710
v. Reed, 36 Mich. 263, 227, 278
v. Salem, &c., Co., 39 Fed. R. 89, 95
v. Schmidt, 6 Colo. App. 216, 1540, 1541
v. Scott County Commissioners, 14 Minn. 77, 484
v. Shaw, 61 N. Y. 283, 1494
v. Smith, 6 Fed. R. 215, 315
v. Tisdale, 84 N. Y. 655, 266
v. Tisdale, 18 Hun, 151, 171
First National Bank v. Turnbull, 16 Wall. (U. S.) 190, 646
v. Tyson, 39 So. 560, 1085
v. U. S. Encaustic Tile Co., 105 Ind. 227, 559
v. West River, &c., R. Co., 49 Vt. 167, 1033
v. Wheeler, 72 N. Y. 201, 484
v. Yankton, 101 U. S. 129, 843
First National Insurance Co. v. Salisbury, 130 Mass. 303, 509, 514
First Parish v. County of Middlesex, 7 Gray (Mass.), 106, 991, 995
First Presbyterian Church v. Ft. Wayne, 36 Ind. 338, 781
First Presb. Cong. v. Smith, 163 Pa. St. 561, 1064
First, &c., Society v. Goodrich Transportation Co., 7 Fed. R. 257, 1234
Firth v. Midland R. Co., L. R. 20 Eq. 100, 1059
v. Rehfeldt, 164 N. Y. 588, 1075
Fischer v. Merchants' Despatch, &c., Co., 13 Mo. App. 133, 216
Fiser v. Mississippi, &c., R. R. Co., 32 Miss. 359, 106
Fish v. Budlong, 10 R. I. 525, 291
v. Chapman, 2 Ga. 349, 1396, 1421, 1468, 1496, 1691
v. Illinois, &c., R. Co., 96 Iowa, 702, 1282
v. Illinois Cent. R. Co., 96 Ga. 702, 1282, 1378
v. New York Paper Co., 29 N. J. Eq. 16, 486
Fishback v. Citizens' St. Ry. Co. Nat. Corp. R. (Sup. Ct. Marion Co., Ind.) March 4, 1892, 542, 547
v. Steinway, &c., R. Co., 11 App. Div. (N. Y.) 152, 1096ch
Fishburn v. Burlington, &c., R. Co., 127 Ia. 483, 1261
v. Burlington, &c., R. Co., 98 N. W. 380, 1815
Fisher v. Boston, &c., R. Co., 99 Me. 338, 1440, 1449, 1487, 1497
v. Budlong, 10 R. I. 525, 93
v. Chesapeake, &c., R. Co., 104 Va. 635, 1268, 1269, 1314
v. Chicago, &c., R. Co., 104 Ill. 323, 923, 960, 962, 971
v. Concord R. Co., 50 N. H. 200, 542, 543, 547
v. Essex Bank, 5 Gray (Mass.), 373, 78
v. Evansville, &c., R. R. Co., 7 Ind. 407, 20, 142, 322
v. Farmers', &c., Co., 21 Wis. 73, 1180
v. Ferry Co., 124 Pa. St. 154, 1096cp
v. Geddes, 15 La. Ann. 14, 1406
v. Jansen, 128 Ill. 549, 1812
v. Jones, 82 Ala. 117, 98
v. Louisville, &c., R. Co., 146 Ind. 558, 1298a
v. New York, &c., R. Co., 46 N. Y. 644, 330, 461, 713, 714
v. New York, &c., R. Co., 135 Mass. 107, 1140
v. Oregon, &c., R. Co., 22 Ore. 533, 1301a
v. Railroad, 102 Va. 363, 1057j
v. Rush, 35 Hun (N. Y.), 641, 159
v. Seligman, 7 Mo. App. 383, 90
v. Southern Pac. R. Co., 89 Cal. 399, 1629, 1831
v. Warwick R. Co., 12 R. I. 287, 1048

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Fisher v. West Virginia, &c., R. Co. 42 W. Va. 183, 1642
v. West Virginia, &c., Co., 39 W. Va. 366, 359, 430, 473, 519, 1630
Fishmongers Co. v. East India Co., 1 Dickens, 163, 376, 479
Fisk v. Central Pac. R. Co., 72 Cal. 38, 1096cp, 1283, 1288
v. Chicago, &c., R. Co., 53 Barb. (N. Y.) 513, 88, 621a
v. Chicago, &c., R. Co., 111 Ia. 392, 1298a
v. Chicago, &c., R. Co., 4 Abbott's Pr. N. S. (N. Y.) 378, 27
v. Fitchburg, &c., R. Co., 158 Mass. 238, 1269, 1345
v. Henarie, 32 Fed. R. 417, 645, 651
v. Henarie, 142 U. S. 459, 653
v. Kenosha, 26 Wis. 23, 827
v. Newton, 1 Denio, 45, 1463, 1532, 1535
v. Union Pac. R. Co., 6 Blatchf. (U. S. C. C.) 362, 654
v. Union Pac. R. Co., 8 Blatchf. (U. S. C. C.) 209, 656
v. Union Pac. R. R. Co., 10 Blatchf. (U. S.) 518, 600
Fister v. LaRue, 15 Barb. (N. Y.) 323, 211
Fitch v. Buffalo, &c., R. Co., 13 Hun (N. Y.), 668, 1203
v. Creighton, 24 How. (U. S.) 159, 697, 702
v. Lewiston Steam Mill Co., 80 Me. 34, 204
v. New York, &c., R. Co., 59 Conn. 414, 972, 1057
v. New Haven, N. L. & S. R. Co., 30 Conn. 38, 32
v. Newberry, 1 Doug. (Mich.) 1, 1451, 1466
v. Pacific, &c., R. Co., 45 Mo. 322, 1224, 1238, 1242, 1243
v. Stevens, 2 Metc. 505, 1026
v. Traction Co., 124 Ia. 665, 1583
Fitchburg R. Co. v. Boston, &c., R. Co., 3 Cush. (Mass.) 58, 1017, 1024, 1053, 1054
v. Eastern R. Co., 6 Allen (Mass.), 98, 1040
v. Gage, 12 Gray (Mass.), 393, 388, 1391, 1467, 1560, 1676, 1709
v. New Haven, &c., R. Co., 134 Mass. 547, 966, 1116
Fitchburg, &c., R. Co. v. Boston, &c., R. Co., 111 Mass. 125, 922
v. Hanna, 6 Gray, 539, 1405, 1409, 1445, 1558, 1651
Fitchburg, &c., Co. v. Grand Junction, &c., Co., 1 Allen (Mass.), 552, 1096o
Fithian v. N. Y., &c., R. Co., 31 Pa. St. 114, 624
Fitmaurice v. Bayley, 9 H. L. Cases, 78, 450
Fitterling v. Missouri Pacific Co., 79 Mo. 504, 1185, 1198
Fitts v. Cream City R. Co., 59 Wis. 323, 1092, 1094, 1096cb
Fitz v. Nantasket Beach R. Co., 148 Mass. 35, 1040a
Fitzgerald v. Adams Ex. Co., 24 Ind. 447, 1421, 1466
v. Boston, &c., R. Co., 156 Mass. 293, 1352
v. Britt, 43 Iowa, 498, 943
v. Chicago, &c., R. Co., 114 Ill. App. 118, 1261
Fitzgerald v. Connecticut, &c., Paper Co., 155 Mass. 155, 1288, 1297
v. Fitzgerald, &c., Co., 41 Neb. 374, 167, 275, 285, 655, 658, 1565
v. Grand Trunk R. Co., 4 Ont. App. 601, 1425
v. Grand Trunk R. Co., 63 Vt. 169, 1565
v. Long Island R. Co., 117 N. Y. 653, 1157
v. McClay, 47 Neb. 816, 1060a
v. Missouri Pac. R. Co., 45 Fed. R. 812, 339, 649, 652, 655, 655a
v. New York, &c., R. Co., 59 Hun (N. Y.), 225, 1271
v. St. Paul, &c., R. Co., 29 Minn. 336, 1190, 1262
v. Southern R. Co., 141 N. Car. 530, 1697
v. Trustees, &c., 1 Mich. N. P. 243, 1073
Fitzgerald, &c., Construction Co. v. Fitzgerald, 137 U. S. 98, 340, 621
Fitzgibbon v. Railway Co., 108 Ia. 614, 1578, 1582, 1896
v. Railway Co., 119 Ia. 261, 1578a
Fitzhugh v. Wiman, 9 N. Y. 559, 1536
Fitzpatrick v. Dispatch, &c., Co., 83 Ala. 604, 88
v. Eyre, 1 Hogan (Irish Rolls), 171, 575
v. New York, &c., R. Co., 15 N. Y. Week. Dig. 506, 1265
v. Pennsylvania R. Co., 10 Phila. (Pa.) 107, 1041
v. Railway Co., 12 U. C. Q. B. 645, 1817
v. Woodruff, 96 N. Y. 561, 92
Fitzsimmons v. Southern Exp. Co., 40 Ga. 330, 1524a
Fitzsimmons, &c., Co. v. Braun, 199 Ill. 390, 1057
Five Tracts of Land v. United States, 101 Fed. 661, 994
Flack v. Hughes, 67 Ill. 384, 872
Flagg v. Chicago, &c., R. Co., 96 Mich. 30, 1194
v. Eames, 40 Vt. 16, 409
v. Manhattan R. Co., 10 Fed. R. 413, 86, 250, 251, 310
v. Manhattan R. Co., 20 Blatchf. (U. S.) 142, 235
v. Mayor, &c., Palmyra, 33 Mo. 440, 918
Flagstaff, &c., Co. v. Cullins, 104 U. S. 176, 1067
Flaherty v. Minneapolis, &c., R. Co., 39 Minn. 328, 617, 1635
v. Northern Pac. R. Co., 39 Minn. 328, 1178, 1635
Flanagan v. Great Western Ry. Co., L. R. 7 Eq. Cas. 116, 41, 363, 393, 935
v. Wood, 33 Vt. 332, 626
Flanders v. Chicago, &c., R. Co., 51 Minn. 193, 1271
Flannagan v. Chicago, &c., R. Co., 50 Wis. 462, 1296a
v. St. Paul City R. Co., 68 Minn. 300, 1096ch, 1096ci
Flannegan v. Chesapeake, &c., R. Co., 40 W. Va. 436, 1328
v. Chesapeake, &c., R. Co., 38 W. Va. 570, 1328
Flannery v. Baltimore, &c., R. Co., 4 Mackey (D. C.), 111, 1639
Flannigan v. Canadian Pacific R. Co., 17 Ont. R. 6, 1226

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Flannigan v. Chesapeake, &c., R. Co., 40 W. Va. 436, 1318
Flash v. Conn, 16 Fla. 428, 189
v. Wilkerson, 22 Fed. R. 689, 702
Flatbush Ave., In re, 1 Barb. 286, 967
Fleckner v. Bank of U. S., 8 Wheat. 338, 95, 258
Flegherty v. Harrison, 98 Wis. 559, 1096cn
Fleischman v. Southern R. Co., 56 S. E. 974, 1649
Fleming, In re, 4 Hill, 581, 874
Fleming, In re, 2 Wall. (U. S.) 759, 529
Fleming v. Bailey, 5 East, 313, 713
v. Brooklyn, &c., R. Co., 1 Abb. New Cas. 433, 1645
v. Brooklyn City R. Co., 74 N. Y. 618, 1096cs, 1578a
v. Chicago, &c., R. Co., 34 Iowa, 353, 992, 994, 995, 1005
v. Hammond, 19 Ga. 145, 1404
v. Kansas City, &c., R. Co., 89 Mo. App. 129, 1820
v. Pittsburgh, &c., R. Co., 158 Pa. St. 130, 1644
v. St. Paul, &c., R. Co., 27 Minn. 111, 1191, 1192, 1270
v. St. Louis, &c., R. Co., 101 Mo. App. 217, 1833
v. Soutter, 6 Wall. (U. S.) 747, 522
v. Springfield, 154 Mass. 520, 1689i
v. Western, &c., R. Co., 49 Cal. 253, 1167, 1170
Flemington v. Smithers, 2 C. & P. 292, 1821
Flenniken v. Liscoe, 64 Minn. 269, 1075
Flentham v. Steward, 45 Neb. 640, 572
Fletcher v. Ann Arbor R. Co., 116 Fed. 479, 529
v. Atlantic, &c., R. Co., 64 Mo. 484, 1157
v. Auburn, &c., R. Co., 25 Wend. 462, 1101
v. Baltimore, &c., R. Co., 168 U. S. 135, 1252, 1263
v. Boston, &c., R. Co., 187 Mass. 463, 1628, 1630, 1643
v. Chicago, &c., R. Co., 67 Minn. 339, 1029
v. Dennison, 101 Cal. 292, 505
v. Fitchburg R. Co., 149 Mass. 127, 1167, 1170, 1171, 1179j
v. Hamlet, 116 U. S. 408, 653
v. Holmes, 25 Ind. 458, 517
v. McGill, 110 Ind. 395, 529
v. New Orleans, &c., R. Co., 19 Fed. R. 731, 1059
v. Peck, 6 Cranch, 87, 666, 806, 982
v. Railroad Co., 64 Mo. 484, 1166
v. South Carolina, &c., R. Co., 57 S. Car. 205, 1850
v. Waring, 137 Ind. 159, 597
Flewelling v. Lewiston, &c., R. Co., 89 Me. 585, 1096aq, 1096cn
Flike v. Boston, &c., R. Co., 53 N. Y. 549, 1276, 1287
Flickner v. Lambert, 36 Ind. App. 524, 1304
Flinn v. Bagley, 7 Fed. R. 785, 90, 181
v. N. Y. Railroad Co., 142 N. Y. 11, 1224
v. Philadelphia, &c., R. Co., 1 Houst. (Del.) 469, 1608
Flint v. Boston, &c., R. Co., 73 N. H. 141, 1551, 1551a
v. Norwich, &c., R. Co., 110 Mass. 222, 1264
Flint v. Norwich, &c., Transp. Co., 34 Conn. 554, 1639
v. Pierce, 99 Mass. 68, 147, 193
v. Webb, 25 Minn. 263, 548
Flint, &c., R. Co. v. Detroit, &c., R. Co., 64 Mich. 350, 1028, 1042, 1126, 1127, 1129, 1635
v. Dewey, 14 Mich. 477, 276, 1058
v. Gordon, 41 Mich. 420, 797, 965
v. Lull, 28 Mich. 510, 1193, 1194, 1198, 1209
v. Stark, 38 Mich. 714, 1628a
v. Weir, 37 Mich. 111, 1615, 1652a, 1660
v. Willey, 47 Mich. 88, 1112
Flint, &c., Co. v. Woodhull, 25 Mich. 99, 57, 607
Flolickstein v. Mobile, 40 Ala. 725, 1668
Flood v. North Eastern, &c., R. Co., 21 L. T. R. 258, 668
Florence, &c., R. Co., v. Lilley, 3 Kan. App. 588, 1046a
v. Pember, 45 Kan. 625, 1045
v. Whiffs, 138 Fed. 13, 1301a
Florence, &c., Co. v. Hanby, 101 Ala. 15, 564, 567
Florida v. Anderson, 91 U. S. 667, 503
Florida Cent. R. Co. v. Mooney, 40 Fla. 17, 1313
v. State, Lavarez, 31 Fla. 482, 121, 362, 383, 386, 637, 638, 642, 694, 699
Florida Central, &c., R. Co. v. Bear, 3 Fla. 319, 1010
v. Bell, 43 Fla. 359, 971, 1028
v. Foxworth, 41 Fla. 1, 1378a
v. Ocala St. R. Co., 39 Fla. 306, 1096g, 1096s
v. Reynolds, 183 U. S. 471, 740
Florida Northern R. Co. v. Southern, &c., Co., 112 Ga. 1, 1058
Florida Southern R. Co. v. Loring, 51 Fed. 932, 400, 948
Florida, &c., R. Co. v. Brown, 23 Fla. 104, 1087
v. Hirst, 30 Fla. 1, 285, 1251, 1576, 1631, 1643
v. Lucas, 110 Ga. 121, 1831
v. Pensacola, &c., R. Co., 10 Fla. 145, 38
v. Reynolds, 183 U. S. 471, 772a
v. Schutte, 103 U. S. 118, 480
v. Wade, 43 So. 775, 1799
v. Webster, 25 Fla. 394, 1586, 1629, 1632, 1828
v. Williams, 37 Fla. 406, 1697
Florsheim, &c., Co. v. Wettermark (Tex.), 30 S. W. 505, 614
Flournoy v. Jeffersonville, 17 Ind. 169, 675
v. Shreveport, &c., R. Co., 50 La. Ann. 635, 1096cd, 1096ck
Flower v. Downs, 12 Rob. (La.) 101, 1419
v. London, &c., R. Co., 2 Dr. & Sm. 330, 629
v. Pennsylvania Co., 69 Pa. St. 210, 215, 1255, 1265, 1305, 1581, 1645
v. Railway Co., 2 Q. B. 65, 1609
Floyd v. Paducah R. Co. (Ky.) 64 S. W. 653, 1096bo
v. Perrin, 30 S. C. 1, 816, 847, 889
v. Rome St. R. Co., 77 Ga. 614, 966, 977a, 1096be
Fluhrer v. Lake Shore, &c., R. Co., 121 Mich. 212, 1307

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Fluker v. Emporia City R. Co., 48 Kan. 577, 540, 550
v. Georgia, &c., R. Co., 81 Ga. 461, 1267a
Flynn v. Brooklyn City R. Co., 158 N. Y. 493, 167, 621
v. Canton Co., 40 Md. 312, 711
v. Central Park, &c., R. Co., 49 N. Y. Super. Ct. 81, 1638
v. Consolidated Trac. Co., 64 N. J. L. 375, 1096cz, 1636
v. Eastern R. Co., 83 Wis. 238, 1169
v. Hudson River R. Co., 6 How. Pr. (N. Y.) 308, 621
v. Kansas City, &c., R. Co., 78 Mo. 195, 1297, 1701
v. St. Louis, &c., R. Co., 43 Mo. App. 424, 1450, 1718
v. St. Louis, &c., R. Co., 113 Mo. App. 185, 1592, 1638
v. San Francisco, &c., R. Co., 40 Cal. 14, 1221, 1238
Fobes v. Rome, &c., R. Co., 121 N. Y. 505, 1087, 1088, 1096c
Fockens v. United States Exp. Co., 99 Minn. 404, 1755
Fogel v. San Francisco, &c., R. Co. (Cal.) 42 Pac. R. 565, 1589, 1787
Fogg v. Blair, 139 U. S. 118, 91, 500, 600
v. Blair, 133 U. S. 534, 380
v. Boston, &c., R. Co., 148 Mass. 513, 214, 617
v. Nevada, &c., R. Co., 20 Nev. 429, 1087
Fogus v. Chicago, &c., R. Co., 50 Mo. App. 250, 1304, 1796
Fohrmann v. Consolidated Trac. Co., 63 N. J. L. 391, 1801
Foland v. Southwest Elec. R. Co., 119 Mo. App. 284, 1840
Foley v. Brunswick Traction Co., 66 N. J. L. 637, 1841
v. Chicago, &c., R. Co., 64 Iowa, 644, 1355
v. Felrath, 98 Ala. 176, 1414
v. Jersey City Electric Light Co., 54 N. J. Law, 411, 1269
v. Lehigh Valley R. Co., 96 N. Y. S. 182, 1718
v. New York, &c., R. Co., 78 Hun, 248, 1262
v. Phelps, 1 App. Div. (N. Y.) 551, 1577b
v. Wyeth, 2 Allen (Mass.), 131, 1057b
Folger v. Chase, 18 Pick. (Mass.) 63, 609
v. Columbia, &c., Ins. Co., 99 Mass. 267, 48, 54, 609
Follett v. Toronto R. Co., 15 Ont. App. 346, 1095
Folley v. Chicago, &c., R. Co., 16 Okla. 32, 1255
Follit v. Eddystone Granite Quarries, L. R. (1892) 3 Ch. 75, 533
Follman v. City of Mankato, 35 Minn. 522, 1174
Folsom v. Evans, 5 Minn. 418, 537, 538
v. Township Ninety-six, 159 U. S. 611, 847, 915
Foltz v. St. Louis, &c., R. Co., 60 Fed. R. 316, 628, 1046a
Fonda v. St. Paul, &c., R. Co., 71 Minn. 438, 1096cf, 1788
v. Sage, 46 Barb. (N. Y.) 109, 942
Fones v. Phillips, 39 Ark. 17, 1316
Fong Yue Ting v. United States, 149 U. S. 698, 1688
Fonseca v. Cunard, &c., Co., 153 Mass. 553, 1494, 1593, 1594a, 1645, 1661
Font v. Gulf, &c., Co., 47 La. Ann. 272, 653
Fontaine v. Southern Pac. R. Co., 54 Cal. 645, 1208
Foot v. Great Northern R. Co., 81 Minn. 493, 1376
v. New Haven, &c., R. Co., 23 Conn. 214, 949
v. Rutland, &c., R. Co., 32 Vt. 633, 257
Foote, Appellant, 22 Pick. (Mass.) 299, 304
Foote v. Cunard, &c., Co., 17 Fed. R. 46, 620
v. Forbes, 25 Kan. 359, 559
v. Johnson County, 5 Dillon (U. S.), 281, 895
v. Linck, 5 McLean, 616, 742
v. Lorain, &c., R. Co., 21 Ohio Cir. Ct. 319, 1036a
v. Merrill, 54 N. H. 490, 1239
v. Pike, 101 U. S. 688, 898
Forbes v. Atlantic, &c., R. Co., 76 N. Car. 454, 1209
v. Boston, &c., Railroad, 133 Mass. 154, 1426, 1428, 1523, 1741
v. Davis, 18 Tex. 268, 1653
v. Delashmutt, 68 Iowa, 164, 1054
v. Fitchburg R. Co., 133 Mass. 154, 1521, 1526
v. Howard, 4 R. I. 364, 1017, 1046
v. Loftin, 50 Ala. 396, 1820
v. Memphis, &c., R. Co., 2 Woods (U. S.), 323, 167, 304, 511, 542, 543, 547
v. Rice, 2 Brev. (S. Car.) 363, 1562
v. San Rafael T. Co., 50 Cal. 340, 492
v. Willamette, &c., Co., 19 Ore. 61, 1066
Force v. Age Herald Co., 136 Ala. 271, 379
Ford, In re, 6 Lans. 92, 771
Ford v. Anderson, 139 Pa. St. 261, 1283, 1299
v. Bodcaw Lumber Co., 73 Ark. 49, 1283
v. Charles Waren Co., 1 Marv. (Del.) 88, 1096cc
v. Chicago, &c., R. Co., 14 Wis. 609, 629, 920, 954, 970, 1049
v. Chicago, &c., R. Co. (Iowa) 24 L. R. A. 657, 1238
v. Chicago, &c., R. Co., 91 Iowa, 179, 1795
v. Delta, &c., Co., 164 U. S. 662, 781
v. Des Moines, 106 Ia. 94, 1800
v. East Hampton Rubber-Thread Co., 158 Mass. 84, 305, 310
v. Fitchburg R. Co., 110 Mass. 240, 200, 1280, 1282, 1288, 1299, 1316, 1323
v. Harris, 95 Ga. 97, 946e
v. Kansas City, 181 Mo. 137, 1806
v. Lake Shore, &c., R. Co., 124 N. Y. 493, 1280
v. London, &c., R. Co., 2 Foster & Fin. N. P. 730, 1472, 1478, 1585
v. Metropolitan, &c., R. Co., L. R. 17 Q. B. Div. 12, 996

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ford v. Minneapolis St. R. Co., 107 N. W. 817, 1096cx
v. Mitchell, 21 Ind. 54, 1406, 1407, 1409
v. Railroad Co., 110 La. Ann. 414, 1577
v. Plankington Bank, 87 Wis. 363, 73
v. Santa Cruz R. Co., 59 Cal. 290, 1048, 1088
v. Surget, 46 Miss. 130, 950
Fordham v. Northern Pac. R. Co., 30 Mont. 421, 1057f
Fordyce v. Briney, 58 Ark. 206, 1327
v. Culver, 2 Tex. Civ. App. 569, 1296
v. Edwards, 60 Ark. 438, 1297
v. Jackson, 56 Ark. 594, 1191, 1578, 1578a, 1589, 1604
v. Johnson, 56 Ark. 430, 1570
v. Kansas City, &c., R. Co., 145 Fed. 566, 528
v. Lowman, 57 Ark. 160, 1289, 1290
v. McFlynn, 56 Ark. 424, 1492, 1550
v. Manuel, 82 Tex. 527, 1603
v. Merrill, 49 Ark. 277, 1590, 1641
v. Nix, 58 Ark. 136, 1470
v. Omaha, &c., R. Co., 145 Fed. 544, 528
v. Withers, 1 Tex. Civ. App. 540, 1812, 1831
v. Yarborough, 1 Tex. Civ. App. 260, 1296
Fore v. Hoke, 48 Mo. App. 254, 1046a
Foreman v. Bigelow, 4 Cliff. (U. S.) 508, 79
v. Great Eastern, &c., R. Co., 2 Nev. & McN. 202, 1677
v. Pennsylvania R. Co., 195 Pa. St. 499, 1578a
Forman v. New Orleans, &c., R. Co., 40 La. Ann. 446, 1077, 1081
Forepaugh v. Delaware, &c., R. Co., 128 Pa. St. 217, 1396, 1494, 1506
Forney v. Fremont, &c., R. Co., 23 Neb. 465, 963, 969, 970, 973, 996
Forrest v. Manchester, &c., R. Co., 30 Beav. 40, 400
v. Manchester, &c., Ry. Co., 4 De G., F. & J. 126, 167
Forrester v. Georgia, &c., R. Co., 92 Ga. 699, 1450
Forsee v. Alabama, &c., R. R. Co., 63 Miss. 67, 200, 1603
Forster v. Scott, 136 N. Y. 577, 976
Forsyth v. Boston, &c., R. Co., 103 Mass. 510, 1251, 1590, 1628, 1641
v. Brown, 13 Pa. Co. Ct. Rep. 579, 162
v. Hooper, 11 Allen, 419, 1063
v. Wilcox, 143 Ind. 144, 988
Ft. Clark St. R. Co. v. Ebaugh, 49 Ill. App. 582, 1096cz
Ft. Dodge v. Minneapolis, &c., R. Co., 87 Iowa, 389, 571, 578, 642
Ft. Dodge Elec., &c., Co. v. Ft. Dodge, 115 Ia. 568, 1096am
Fort Edwards, &c., Co. v. Payne, 15 N. Y. 583, 121, 275, 928
Fort Leavenworth R. Co. v. Lowe, 114 U. S. 525, 950, 965
Fort Madison, &c., Co. v. Batavian Bank, 71 Iowa, 270, 98
Ft. Scott Rapid Transit Co. v. Page, 10 Kan. App. 362, 1096cn
Fort Scott, &c., R. Co. v. Holman, 45 Kan. 167, 1216
v. Karracker, 46 Kan. 511, 1246
v. Sparks, 55 Kan. 288, 1607, 1632
Fort Scott, &c., R. Co. v. Tubbs, 47 Kan. 630, 1238, 1239, 1246
Ft. Smith v. Hunt, 72 Ark. 556, 1096ag
Fort Smith Oil Co. v. Slover, 58 Ark. 168, 218, 1283
Ft. Smith Suburban R. Co. v. Maledon, 95 S. W. 472, 1003
Ft. Smith, &c., Trac. Co. v. Barnes (Ark.), 96 S. W. 976, 1096cl
Fort Street, &c., R. Co. v. Backus, 92 Mich. 33, 1040
Fort Street, &c., Co. v. Jones, 83 Mich. 415, 1027
Fort Street Union Depot Co. v. Morton, 83 Mich. 265, 952, 1453
v. Railroad Com'rs, 118 Mich. 340, 1453
v. State R., &c., Co., 81 Mich. 248, 642, 682, 1122
Fort Wayne v. Cody, 43 Ind. 197, 782
v. Ft. Wayne, &c., R. Co., 149 Ind. 25, 1048
v. Lake Shore, &c., Ry. Co., 132 Ind. 558, 41, 632, 922, 966, 967, 1098, 1104
v. Shoaff, 106 Ind. 66, 782
Ft. Wayne, &c., Trac. Co. v. Ft. Wayne, &c., R. Co., 80 N. E. 837, 985
v. Hardendorf, 164 Ind. 403, 1096cz
Fort Wayne, &c., R. Co. v. Detroit, 39 Mich. 543, 34 Mich. 78, 1092, 1096am
v. Gildersleeve, 33 Mich. 133, 1278, 1295, 1296
v. Herbold, 99 Ind. 91, 1197, 1198
v. Mellett, 92 Ind. 535, 553
v. Musseter, 48 Ind. 286, 1187
v. Woodward, 112 Ind. 118, 1210
Fort Wayne, &c., Co. v. Hinebaugh, 43 Ind. 354, 477, 1186
v. Sherry, 126 Ind. 334, 401, 938, 949
Fort Worth v. Allen (Tex. Civ. App.), 31 S. W. 235, 1092
Fort Worth City Co. v. Smith Bridge Co., 151 U. S. 294, 370
Ft. Worth R. Co. v. McCarty, 94 S. W. 178, 1656
Ft. Worth, &c., R. Co. v. Alexander, 36 Tex. Civ. App. 297, 1550, 1746, 1750
v. Bell, 5 Tex. Civ. App. 28, 1333b
v. Cage Cattle Co., 95 S. W. 705, 1548, 1749
v. Culver, 14 S. W. 1013, 1035
v. Daggett, 87 Tex. 322, 1448, 1511, 1553, 1554
v. Dennis (Tex.), 33 S. W. 884, 1169, 1179h
v. Dial, 85 S. W. 22, 1245b
v. Floyd (Tex. Civ. App.), 21 S. W. 544, 1368
v. Garlington, 92 S. W. 270, 1754
v. Greathouse, 82 Tex. 104, 1497, 1512, 1548, 1555, 1714, 1724, 1731, 1750
v. Greer, 32 Tex. Civ. App. 606, 1155
v. Hamm, 93 S. W. 215, 1727
v. Hogsett, 67 Tex. 685, 1239
v. James, 87 S. W. 730, 1746, 1755
v. Jennings, 76 Tex. 373, 977, 1088
v. Johnson, 5 Tex. Civ. App. 24, 1445
v. Kennedy (Tex.), 35 S. W. 335, 1585
v. Lamphear, 1 White & W. Tex. App. Civ. Cas. Ct. No. 308, 1046a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Fort Worth, &c., R. Co. v. Lamphear, 1 Tex. Civ. App. Cas. 127, 1045
v. Lock, 30 Tex. Civ. App. 426, 1747
v. Mackney, 83 Tex. 410, 1333b
v. Martin (Tex. Civ. App.), 35 S. W. 21, 1403, 1411
v. Masterson, 95 Tex. 262, 1443a
v. Peterson, 24 Tex. Civ. App. 548, 1837
v. Queen City R. Co., 71 Tex. 165, 388, 632, 964, 1096s
v. Riley (Tex. Ct. of App.), 1 S. W. 446, 1404, 1551a
v. Roberts, 83 S. W. 250, 1209
v. Robertson, 16 S. W. 1093, 1812
v. Robertson (Tex.), 14 L. R. A. 781, 1259
v. Rogers, 21 Tex. Civ. App. 605, 1608
v. Rogers, 24 Tex. Civ. App. 382, 1831, 1833
v. Rosedale, &c., R. Co., 68 Tex. 169, 68, 1077, 1081, 1083, 1096l, 1096s, 1096aa, 1096ac. 1096t
v. Rosenthal, &c., Co. (Tex. Civ. App.) 29 S. W. 196, 1649, 1660
v. Scott, 2 Tex. App. Civil Cas. 137, 977
v. Shanley, 36 Tex. Civ. App. 291, 1754
v. Southwestern Tel., &c., Co., 96 Tex. 160, 975c, 977a
v. Swan, 97 Tex. 338, 1184
v. Sweatt, 20 Tex. Civ. App. 543, 949
v. Tomlinson (Tex. App.), 16 S. W. R. 866, 1214
v. Viney, 30 S. W. 252, 1841
v. Wallace, 74 Tex. 581, 1239, 1240
v. Whitehead, 6 Texas Civil App. 595, 690
v. Williams, 77 Tex. 121, 1435
v. Williams (Tex.), 18 S. W. 206, 117, 120
v. Word (Tex. Civ. App.), 32 S. W. 14, 1550, 1804
v. Work, 100 S. W. 962, 1628, 1628a, 1839
v. Wrenn, 20 Tex. Civ. App. 1304
v. Daniels (Tex. Civ. App.), 29 S. W. 695, 995
v. Graves (Tex. Civ. App.), 21 S. W. 606, 1269
v. Smith Bridge Co., 151 U. S. 294, 903
Fortier v. New Orleans, &c., Bank, 112 U. S. 439, 397
v. Pennsylvania Co., 18 Ill. App. 260, 1436
Fortune v. Chesapeake, &c., R. Co. (Ky.) 58 S. W. 711, 400, 948
Forward v. Hampshire, &c., Canal Co., 22 Pick. (Mass.) 462, 1048
v. Pittard, 1 T. R. 27, 1455, 1459
Foss v. Chicago, &c., R. Co., 33 Minn. 392, 1256
v. Harbottle, 2 Hare, 461, 11
v. Hinkell, 78 Cal. 158, 795
Fosdick v. Perrysburg, 14 Ohio St. 472, 819
v. Schall, 99 U. S. 235, 494, 497, 502, 518, 528, 563, 565
v. Sturges, 1 Biss. (U. S.) 255, 89
Fossion v. Landry, 123 Ind. 136, 981
Foster v. Belcher's Sugar Refining Co., 118 Mo. 238, 169
v. Bellaire, 127 Mich. 13, 1813
v. Boston, 133 Mass. 143, 514
v. Browning, 4 R. I. 47, 949
v. Chesapeake, &c., R. Co., 47 Fed. R. 369, 650
v. Chicago, &c., R. Co., 127 Ia. 84, 1298a
v. Cleveland, &c., R. Co., 162 U. S. 197, 1676
v. Cleveland, &c., Co., 56 Fed. R. 434, 216, 1678
v. Cumberland, &c., R. Co., 23 Pa. St. 371, 1007
v. Davenport, 22 How. 244, 1671, 1673
v. East Jorden Lumber Co. (Ia.) 104 N. W. 617, 1096cn
v. Elliott, 33 Ia. 216, 1057d
v. Essex Bank, 16 Mass. 245, 612
v. Fowler, 60 Pa. St. 27, 72, 73, 790, 1074
v. Frampton, 6 B. & C. 103, 1543
v. Grand Rapids, &c., R. Co., 140 Mich. 689, 1265
v. Great Western, &c., R. Co., L. R. 8 Q. B. D. 515, 695
v. Kansas City, &c., R. Co., 112 Mo. App. 67, 1194
v. Mansfield, &c., R. Co., 36 Fed. R. 627, 165, 511, 513, 529
v. Missouri Pac. R. Co., 115 Mo. 165, 1315c, 1329, 1689c
v. Mullanphy Planing Mill Co., 92 Mo. 79, 260, 263
v. Pitch, 36 Conn. 236, 52
v. Pusey, 8 Houst. (Del.) 168, 1316
v. St. Louis, &c., R. Co., 90 Mo. 116, 1207
v. Seattle Elec. R. Co., 35 Wash. 177, 1096cy, 1628, 1831
v. Seymour, 23 Fed. R. 65, 89, 110
v. Townsend, 2 Abb. N. Cas. (N. Y.) 29, 563
v. Townsend, 68 N. Y. 203, 73
v. Union Traction Co., 199 Pa. 498, 1833
v. White, 86 Ala. 467, 172
Fougeray v. Cord, 50 N. J. Eq. 185, 314
Foulke v. San Diego, &c., R. Co., 51 Cal. 365, 352, 410, 492
Foulks v. Falls, 91 Ind. 315, 403
Fountain v. Mills, 111 Ga. 122, 586
v. Wabash R. Co., 114 Mo. App. 676, 1503
Fountain Ferry, &c., Co. v. Jewell, 8 B. Mon. (Ky.) 147, 123
Fountaine v. Carmarthen Ry. Co., L. R. 5 Eq. 316, 485, 491
Four Mile Valley R. Co. v. Bailey, 18 Ohio St. 208, 123
Fourth National Bank v. Franklyn, 120 U. S. 747, 188
Fowble v. Wabash R. Co., 125 Ia. 215, 1194
Fowlds v. Evans, 52 Minn. 551, 216
Fowle v. New Haven, &c., R. Co., 112 Mass. 334, 977, 1004, 1048
v. Railroad Co., 107 Mass. 352, 1057d
Fowler's Petition, 9 Abb. N. C. (N. Y.) 268, 583
Fowler v. Baltimore, &c., R. Co., 18 W. Va. 579, 1643
v. Broadway, &c., R. Co., 59 Hun (N. Y.), 623, 1815
v. Buffalo, &c., Co., 41 App. Div. (N. Y.) 84, 1378a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Fowler v. Chicago, &c., R. Co., 61 Wis. 159, 1300, 1310
v. Chicago, &c., R. Co., 98 Mo. App. 210, 1530
v. Davenport, 21 Tex. 626, 1425
v. Des Moines, &c., R. Co., 91 Ia. 533, 24
v. Detroit, &c., R. Co., 7 Mich. 79, 621
v. Farmers', &c., Trust Co., 21 Wis. 78, 1194
v. Jarvis, &c., Co., 63 Fed. R. 888, 561, 586
v. Lamson, 146 Ill. 472, 189
v. Meikleham, 7 Low. Can. 367, 1428
v. New York, &c., R. Co., 74 Hun, 141, 1166
v. Osgood, 141 Fed. 20, 570
v. Pittsburgh, &c., R. Co., 35 Pa. St. 22, 626
v. Superior, 85 Wis. 411, 892
Fowler, &c., Co. v. Brooks, 65 Kan. 861, 1771
Fowles v. Great Western, &c., R. Co., 7 Exch. 699, 1517
Fowlkes v. Nashville, &c., R. Co., 5 Baxter, 663, 1363
v. Nashville, &c., R. Co., 9 Heisk. 829, 1375
Fox v. Allensville, &c., R. Co., 46 Ind. 31, 134, 142
v. Boston, &c., R. Co., 148 Mass. 220, 1433
v. Catharine, &c., R. Co., 12 Pa. Co. Ct. R. 180, 1080
v. Chicago, &c., R. Co., 86 Iowa, 368, 1304, 1305
v. Hempfield R. Co., 2 Abb. (U. S.) 151, 1058, 1059
v. Holt, 36 Conn. 558, 1572
v. McGregor, 11 Barb. (N. Y.) 41, 1571
v. Mackay, 60 Fed. R. 4, 647, 650
v. Michigan, &c., R. Co., 138 Mich. 433, 1630a
v. Oakland, &c., St. R., 118 Cal. 55, 1096cl
v. Railroad, 3 Wall. Jr. 243, 1059
v. Seal, 22 Wall. (U. S.) 424, 1072
v. Spring Lake, &c., Co., 89 Mich. 387, 1318
v. Wabash, &c., R. Co., 38 N. Y. Supp. 88, 1655
v. Western Pacific R. Co., 31 Cal. 538, 925, 1050
v. Wharton, 64 N. J. L. 453, 1096cc
Foy v. London, &c., R. Co., 18 C. B. (N. S.) 225, 1628, 1641
v. Philadelphia, &c., R. Co., 47 Md. 76, 1286
Frace v. New York, &c., R. Co., 143 N. Y. 182, 1224, 1231
Fractor's, &c., Co. v. Marine, &c., Co., 31 La. Ann. 149, 92
Frailey v. Winchester, &c., R. Co., 96 Ky. 570, 1073
Fraker v. St. Paul, &c., R. Co., 32 Minn. 54, 1697
Fraloff v. New York, &c., R. Co., 10 Blatchf. (U. S.) 16, 1662a
France v. Rome, &c., R. Co., 88 Hun, 318, 1297
Francis v. Atchison, &c., Co., 19 Kan. 303, 741
v. Cockrell, L. R. 5 Q. B. 184, 1587
v. Dubuque, &c., R. Co., 25 Iowa. 60, 1464, 1518, 1520
v. Howard Co., 54 Fed. 487, 896
Francis v. Kansas City, &c., R. Co., 127 Mo. 658, 1795
v. New York, &c., R. Co., 108 N. Y. 93, 132
Francisco v. Troy, &c., R. Co., 78 Hun, 13, 1630
Francklyn v. Colhoun, 3 Swanst. 276, 73
Franco v. Brooklyn Heights, &c., R. Co., 95 N. Y. S. 476, 1096br
Franco, &c., Co. v. McCormick, 85 Tex. 416, 371
Franco-Texan Land Co. v. Laigle, 59 Tex. 339, 164
Francoeur v. Newhouse, 40 Am. & Eng. R. Cas. 439, 796
Francy v. Illinois Cent. R. Co., 104 Ill. App. 499, 1238
Frank v. Denver, &c., Ry. Co., 23 Fed. R. 123, 494, 498, 502
v. Denver, &c., R. Co., 23 Fed. R. 757, 633
v. Ingalls, 41 Ohio St. 560, 1593
v. Morrison, 58 Md. 423, 184, 192, 568
v. New York, &c., R. Co., 122 N. Y. 197, 436, 453, 525
v. St. Louis Transit Co., 99 Mo. App. 323, 1791
v. Wessels, 64 N. Y. 155, 487
Frank Bird Transfer Co. v. Krug, 30 Ind. App. 602, 1096ck, 1399
Frankel v. Hudson, 82 Ala. 158, 226
Frankford, &c., R. Co. v. Philadelphia, &c., Co., 54 Pa. St. 345, 919, 1221, 1224, 1228
Frankford, &c., Co. v. Philadelphia, 58 Pa. St. 119, 1082, 1096ag
Frankfort, &c., R. Co. v. Windsor, 51 Ind. 238, 1037
Frankfort, &c., Co. v. Churchill, 6 T. B. Mon. (Ky.) 427, 14
Frankie v. Jackson, 30 Fed. 398, 1049b, 1090
Franklin v. Atlantic, &c., R. Co., 54 S. E. 578, 1639
v. Menown, 10 Mo. App. 570, 184
v. Southern, &c., R. Co., 85 Cal. 63, 1585, 1628
v. Southeastern R. Co., 3 Hurl. & N. 211, 1375
v. Winona, &c., R. Co., 37 Minn. 409, 1272
Franklin Bank v. Commercial Bank, 36 Ohio St. 350, 95, 107
v. Cooper, 36 Me. 179, 232
v. Stevens, 39 Me. 532, 232
Franklin Branch Bank v. State, 1 Black (U. S.), 474, 746
Franklin Bridge Co. v. Wood, 14 Ga. 80, 15
Franklin County v. Nashville, &c., Co., 12 Lea, 521, 737, 741, 757
Franklin Turnpike Co. v. Maury, 27 Tenn. 342, 1108
Franklin, &c., Co. v. Lewiston, &c., 68 Me. 43, 95, 251, 369, 374
v. Mackey, 83 Hun, 511, 210
Frank Parmelee Co. v. Wheelock, 224 Ill. 194, 1831
Franzen v. Hutchinson (Iowa), 62 N. W. 698, 599
Fraser v. Charleston, 11 S. Car. 486, 78
v. Ritchie, 8 Ill. App. 554, 95
Frasher v. O'Connor, 115 U. S. 102, 810

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Frasier v. Charleston, &c., R. Co., 73 S. Car. 140, 1501, 1521, 1713, 1751
Frayser v. State, 16 Lea (Tenn.), 671, 1096p
Frazer v. South, &c., R. Co., 81 Ala. 185, 1257
Frazier v. Atchison, &c., R. Co., 104 Mo. App. 355, 1558
v. East Tennessee, &c., R. Co., 88 Tenn. 138, 67, 326, 430, 488, 526, 577
v. Frederick, 24 N. J. L. 162, 497
v. Georgia, &c., R. Co., 96 Ga. 785, 1359, 1372
v. Kansas City, &c., R. Co., 48 Iowa, 571, 1404, 1405, 1462, 1552
v. Myers, 132 Ind. 71, 40
v. New York, &c., R. Co., 180 Mass. 427, 1641
v. Pennsylvania, &c., R. Co., 38 Pa. St. 104, 1321
Fredenburg v. Northern Cent. R. Co., 114 N. Y. 582, 1272
Fredenheim v. Rohr, 87 Va. 764, 556
Frederick v. Campbell, 13 Sergt. & R. 136, 421
v. Marquette, &c., R. Co., 37 Mich. 342, 200, 1580, 1594
v. Northern Cent. R. Co., 157 Pa. St. 103, 1269, 1636
Fredericks v. Illinois Cent. R. Co., 46 La. Ann. 1180, 1259
v. Northern, &c., R. Co., 157 Pa. St. 103, 1587, 1634, 1635
Freedman v. Metropolitan St. R. Co., 89 App. Div. (N. Y.) 486, 1837
Free Transportation of Newspaper Employes, In re, 12 Int. Com. 16, 1688
Freedle v. North Carolina R. Co., 4 Jones (N. Car.), Law, 89, 950
Freedom, The, L. R. 3 P. C. 594, 1420, 1516
Freehold Mut. Loan Assn. v. Brown, 29 N. J. Eq. 121, 60
Freeholders v. Red Bank, &c., Co., 18 N. J. Eq. 91, 1048
v. State Bank, 28 N. J. Eq. 166, 169
Freeland v. McCullough, 1 Denio (N. Y.), 414, 179
v. McCullough, 43 Am. Dec. 694, 193
v. Pennsylvania, &c., Co., 94 Pa. St. 504, 405
Freeman v. Atchison, &c., R. Co., 71 Kan. 327, 1598
v. Birch, 3 Q. B. 492, 1540, 1692
v. Brooklyn Heights R. Co., 81 N. Y. S. 828, 1096br
v. Collins Park, &c., R. Co., 117 Ga. 78, 1843
v. Detroit R. Co., 65 Mich. 577, 1627a
v. Duluth, &c., R. Co., 74 Mich. 86, 1161, 1165
v. Harwood, 49 Me. 195, 151
v. Kraemer, 63 Minn. 242, 1415
v. Louisville, &c., R. Co., 32 Fla. 420, 1694
v. Machias, &c., Co., 38 Me. 343, 17, 164, 264
v. Matlock, 67 Ind. 99, 116, 117
v. Minnesota, &c., R. Co., 28 Minn. 443, 385, 473, 1114c
v. New York City R. Co., 92 N. Y. S. 47, 1096da
Freeman v. Newton, 3 E. D. Smith (N. Y.), 246, 1653
v. Ogden, 40 N. Y. 105, 1054
v. Pere Marquette R. Co., 131 Mich. 544, 1633
v. Travelers' Ins. Co., 114 Mass. 572, 1782
v. Weeks, 45 Mich. 335, 937
v. Winchester, 10 S. & M. (Miss.) 577, 149, 182
Freeman v. San Antonio Brewing Co. (Tex. Civ. App.) 85 S. W. 1165, 220
Freeport St. R. Co. v. Freeport, 151 Ill. 451, 787a
Freer v. Cameron, 55 Am. Dec. 663, 1642
v. Cameron, 4 Rich. L. 228, 1261, 1313
Freiberg v. South Side El. R. Co., 221 Ill. 508, 993, 994
Freiday v. Sioux City, &c., Co. (Iowa) 26 L. R. A. 246, 7
Freight Bureau v. Cincinnati, &c., R. Co., 4 Int. C. C. 592, 1675
v. Cincinnati, &c., R. Co., 6 I. C. C. 195, 1687
v. Cincinnati, &c., R. Co., 7 I. C. C. 180, 1684g
Frelinghuysen v. Colden, 4 Paige Ch. (N. Y.) 204, 546
Frelson v. Southern Pac. R. Co., 42 La. Ann. 673, 1634
Fremont v. Boston, &c., R. Co., 111 App. Div. (N. Y.) 381, 1782
v. Coupland, 2 Bing. 170, 1444
v. United States, 17 How. 542, 796
Fremont, &c., R. Co. v. Bates, 40 Neb. 381, 995
v. Crum, 36 Neb. 70, 1239
v. French, 48 Neb. 638, 1828
v. Gayton, 67 Neb. 263, 1057, 1057g
v. Hagblad (Neb.), 101 N. W. 1033, 1096cs, 1579, 1590
v. Lamb, 11 Neb. 592, 995, 1144, 1146
v. Marley, 25 Neb. 138, 1239
v. Matthews, 35 Neb. 48, 1029
v. Matthews, 39 Neb. 98, 1046a
v. New York, &c., R. Co., 66 Neb. 159, 303
v. Pounder, 36 Neb. 247, 1200, 1207
v. Waters, 50 Neb. 592, 1435, 1445
v. Whalen, 11 Neb. 585, 987, 988, 1005
French v. Barber, &c., Co., 181 U. S. 324, 782
v. Buffalo, &c., R. Co., 4 Keyes (N. Y.), 108, 1498, 1516
v. Dauchy, 134 N. Y. 543, 583
v. Donohue, 29 Minn. 111, 619
v. Fuller, 23 Pick. (Mass.) 108, 310
v. Gifford, 30 Iowa, 148, 551, 556
v. Gifford, 31 Iowa, 428, 584
v. Hay, 22 Wall. (U. S.) 238, 655
v. Hay, 22 Wall. (U. S.) 252, 654
v. Maconia, &c., Co., 20 Atl. 363, 716
v. Pacific Elec. R. Co., 1 Cal. App. 401, 1843
v. Railroad Co., 116 Mass. 537, 1166
v. Row, 77 Hun (N. Y.), 380, 505
v. Smith, 24 Am. Dec. 622, 1702
v. Star, &c., Transportation Co., 134 Mass. 288, 1537, 1539a
v. Taunton Branch Railroad, 116 Mass. 537, 1162
v. Teschemaker, 24 Cal. 518, 389, 844
v. Vix, 143 N. Y. 90, 1057

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

French v. Western, &c., R. Co., 72 Hun (N. Y.), 469, 1096bn
v. Wilkinson, 93 Mich. 322, 1699
French Bank Case, 53 Cal. 495, 551
Frenkel v. Hudson, 82 Ala. 158, 110, 268
Freon v. Carriage Co., 42 Ohio St. 30, 98
Frere v. Von Schoeler, 47 La. Ann. 324, 1663
Frese v. State, 23 Fla. 267, 1703
Fresno, &c., Co. v. Rowell, 80 Cal. 114, 420
Freud v. Detroit, &c., R. Co., 133 Mich. 413, 1049a
Frevert v. Finfrock, 31 Ohio St. 621, 1049
Frey v. Duluth, &c., R. Co., 91 Wis. 309, 1000, 1001
Friar v. Orange, &c., R. Co., 101 S. W. 274, 1638
Frick v. Mercer County, 138 Pa. St. 523, 854
v. St. Louis, &c., R. Co., 75 Mo. 595, 1093, 1096at, 1156, 1159, 1160, 1849
Friday v. Pennsylvania R. Co., 204 Pa. St. 405, 1036, 1037, 1040a
Friedenrich v. Baltimore, &c., R. Co., 53 Md. 201, 1599
Friedlander v. Texas, &c., R. Co., 130 U. S. 416, 303, 1415, 1416, 1419, 1424, 1428, 1429
Friedman v. Dry Dock, &c., R. Co., 110 N. Y. 676, 1163
Friel v. Citizens' R. Co., 115 Mo. 503, 1273
Friend, Appellant, 53 Me. 387, 1017
Friend v. Burleigh, 53 Neb. 674, 1689l
v. Ingersoll, 39 Neb. 717, 1820
v. Pittsburgh, 131 Pa. St. 305, 880
v. Woods, 6 Gratt. 189, 1455
Frier v. President, &c., Co., 86 Hun, 464, 1221
Fries v. Southern Pennsylvania R. Co., 85 Pa. St. 73, 1048
Friess v. New York, &c., R. Co., 67 Hun, 205, 1172
Frink v. Coe, 4 G. Greene (Iowa), 555, 1587
v. Potter, 17 Ill. 406, 1587, 1693, 1694
Fripp v. Chard Ry. Co., 11 Hare, 241, 545, 547, 586
Frisbie v. Chesapeake, &c., R. Co., 57 Fed. R. 1, 655
v. Cowen, 18 App. (D. C.) 381, 1057g
Frische v. Kramer, 16 Ohio, 125, 512
Friscle v. Chicago, &c., R. Co., 95 Minn. 398, 1181
Frish v. Reigle, 11 Gratt. 697, 1587
Frith v. Dubuque, 45 Iowa, 406, 1085
v. Justices, 30 Ga. 723, 1018
Fritts v. New York, &c., R. Co., 62 Conn. 503, 1218
v. Palmer, 132 U. S. 282, 397, 405
Fritz v. Hobson, 10 Am. L. Reg. (N. S.) 615, 1086
v. Kansas City, &c., R. Co., 61 Iowa, 323, 1185
v. Missouri, &c., R. Co. (Tex. Civ. App.) 30 S. W. R. 85, 1297, 1314
Frizell v. Rogers, 82 Ill. 109, 1049
Frizzell v. Omaha St. R. Co., 124 Fed. 176, 1788
Frohlick v. Pennsylvania Co., 138 Mich. 116, 1507
Frohock v. Pattee, 38 Me. 103, 715
Fronky v. Pennsylvania R. Co. (Pa. St.) 2 Atl. 536, 1702
Front St. Cable R. Co. v. Johnson, 2 Wash. 112, 6, 31, 389, 1067
Front, &c., R. Co.'s Petition, 1 Pennew. (Del.) 370, 1028
Frontman v. Smith, 105 Ky. 231, 1684c
Frost v. Eastern Railway Co., 64 N. H. 220, 1253, 1259
v. Frostburg Coal Co., 24 How. 278, 20
v. Galesburg, 167 Ill. 161, 497
v. Grand Trunk R. Co., 10 Allen (Mass.), 387, 1628
v. Milwaukee, &c., R. Co., 96 Mich. 470, 1170
v. Oregon, &c., R. Co., 69 Fed. R. 936, 1281
v. Washington Co. R. Co., 96 Me. 76, 980, 980a, 1057
Frothingham v. Barney, 6 Hun (N. Y.), 366, 612
Frotier v. St. Louis, &c., R. Co., 180 Ill. 471, 1096bm
Frounfelker v. Delaware, &c., R. Co., 77 N. Y. S. 470, 1281
v. Delaware, &c., R. Co., 48 App. Div. (N. Y.) 206, 1315b
v. Delaware, &c., R. Co., 10 Ohio Dec. 278, 1281
v. Delaware, &c., R. Co., 74 App. Div. (N. Y.) 224, 1689g, 1780
Fruin v. Crystal R. Co., 89 Mo. 397, 1058, 1058a, 1060
Fruin-Bambrick Const. Co. v. Ft. Smith, &c., R. Co., 140 Fed. 465, 1058, 1058a, 1059
Fry v. Dubuque, &c., R. Co., 45 Ia. 416, 1799, 1800
v. Great Northern R. Co., 95 Minn. 87, 1278
v. Lexington, &c., R. R. Co., 2 Metc. (Ky.) 314, 45, 103, 149, 163, 252, 886
v. State, 63 Ind. 552, 662, 728, 1599
Frye v. Chicago, &c., R. Co., 73 Ill. 399, 1669
v. Tucker, 24 Ill. 180, 342
F. Schumacher Milling Co. v. Chicago, &c., R. Co., 6 I. C. C. 61, 1678a
Fuchs v. St. Louis Trans. Co., 111 Mo. App. 574, 1815
Fulbright v. Wabash R. Co., 118 Mo. App. 482, 1548a
Fulgam v. Macon, &c., R. Co., 44 Ga. 597, 78
Fulghum v. Cotton, 3 Tenn. Ch. 296, 512
Fulks v. St. Louis, &c., R. Co., 111 Mo. 335, 1628
Fuller v. Ann Arbor R. Co., 141 Mich. 66, 1697
v. Baltimore, &c., Assn., 67 Md. 433, 1382, 1385, 1386
v. Bradley, 25 Pa. St. 120, 1572
v. Citizens' Nat. Bank, 15 Fed. R. 875, 1063
v. Chicago, &c., R. Co., 31 Iowa, 187, 662, 722, 1564, 1669
v. Dame, 18 Pick. 472, 275, 386, 387, 928
v. Denison, &c., R. Co., 32 Tex. Civ. App. 399, 1096cy, 1759
v. Jewett, 80 N. Y. 56, 1276, 1278, 1299
v. Lake Shore, &c., R. Co. 108 Mich. 690, 1198

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Fuller v. Naugatuck R. Co., 21 Conn. 556, 1393, 1583, 1585, 1822
v. New York, &c., R. Co., 175 Mass. 424, 1288, 1312
v. Rowe, 57 N. Y. 23, 190
v. Venable, 118 Fed. 543, 531a, 534
Fullerton v. Fordyce, 121 Mo. 1, 537, 573, 577, 1628a
Fulmer v. Illinois, &c., R. Co., 68 Miss. 355, 1374
v. Southern R. Co., 67 S. Car. 262, 1603
Fulton v. Grand Trunk R. Co., 17 U. C. Q. B. 428, 1096da, 1603
v. Lydecker, 17 N. Y. Supp. 451, 1526
v. Short Route, &c., Co., 85 Ky. 640, 7, 1087
v. Wilmington, &c., Co., 133 Fed. 193, 1339
Fulton Bank v. New York, &c., Canal Co., 4 Paige (N. Y.), 127, 268, 269, 285
Fulton Co. v. Armorous, 89 Ga. 614, 1000a
Fulton County v. Gibson, 158 Ind. 471, 1060
Fulton Fire Ins. Co. v. Baldwin, 37 N. Y. 648, 616
Fulton, &c., Mills Co. v. Wilson, 89 Ga. 318, 1376
Fulton, &c., St. R. Co. v. McConnell, 87 Ga. 756, 1063, 1064
Funk v. Electric Trac. Co., 175 Pa. St. 559, 1096ci, 1096cl
v. Piper, 50 Ill. App. 163, 1689c
v. St. Paul, &c., R. Co., 61 Minn. 435, 6, 9, 1096bw
Funston v. Chicago, &c., R. Co., 61 Iowa, 452, 1156, 1161
Furgason v. Citizens St. R. Co., 16 Ind. App. 171, 1096cx
Furgusson v. Brent, 12 Md. 9, 1481
Furley v. Chicago, &c., R. Co., 90 Iowa, 146, 1547
Furlong v. Metropolitan St. R. Co., 92 N. Y. S. 1008, 1096br
Furman v. Chicago, &c., R. Co., 81 Ia. 540, 1539
v. Chicago, &c., R. Co., 57 Iowa, 42, 1537
v. Union Pacific, &c., R. Co., 106 N. Y. 579, 1426, 1427, 1523
Furman Street, In re, 17 Wend. (N. Y.) 649, 995
Furnam St., In re, 17 Wend. (N. Y.) 551, 994, 995
Furness v. Caterham R. Co., 25 Beav. 614, 548
Furnish v. Missouri, &c., R. Co., 102 Mo. 438, 1585
Furniss v. Hudson River R. Co., 5 Sandf. 551, 1004
v. Midland R. Co., L. R. 6 Eq. 473, 952
Fusz v. Spaunhorst, 67 Mo. 256, 231

G

Gabay v. Lloyd, 3 B. & C. 793, 1546
Gableman v. Peoria, &c., R. Co., 179 U. S. 335, 652
Gabrielson v. Waydell, 135 N. Y. 1, 1265
Gadberry v. Sheppard, 27 Miss. 203, 419
Gaddis v. Richland County, 92 Ill. 119, 827, 843, 897
Gadsden v. Lance, 1 McMull. Eq. (S. Car.) 87, 92
Gadsden, &c., R. Co. v. Causier, 97 Ala. 235, 1628
Gaff v. Flesher, 33 Ohio St. 107, 92
Gaffney v. New York, &c., R. Co., 15 R. I. 456, 1269, 1312, 1326
v. St. Paul, &c., R. Co., 81 Minn. 459, 1096cs
v. Traction Co., 211 Pa. St. 91, 1630
Gafford v. American, &c., Co., 77 Iowa, 736, 292
Gage v. Caraher, 125 Ill. 447, 688
v. Chicago, 141 Ill. 642, 1047, 1053
v. Judson, 111 Fed. 350, 1035a
v. Lake Shore, &c., R. R. Co., 70 N. Y. 220, 26
v. Maryland Coal Co., 124 Mass. 442, 1558
v. New Market R. Co., 18 Q. B. 457, 374, 409, 933
v. Pontiac, &c., R. Co., 105 Mich. 335, 533
v. Tirrell, 91 Mass. 299, 1456, 1458, 1502
Gagg v. Vetter, 41 Ind. 228, 1161
Gagnier v. Fargo, 12 N. Dak. 219, 1815
Gahagan v. Aerometer Co., 67 Minn. 252, 1826
v. Boston, &c., R. Co., 70 N. H. 441, 1175, 1850
v. Railroad Co., 1 Allen (Mass.), 187, 1076, 1096ag
Gaienwood v. Union Freight Co., 105 U. S. 13, 43
Gainard v. Rochester City, &c., R. Co., 50 Hun, N. Y. 22, 1096cy
Gaines v. Coates, 51 Miss. 335, 39
v. Union T. Co., 28 Ohio St. 418, 1417, 1438, 1501, 1502, 1516
Gainesville, &c., R. Co. v. Hall, 78 Tex. 169, 978, 996, 1086
v. Waples, 3 Tex. App. (Civil Cases) 482, 1035
Gair v. Tuttle, 49 Fed. 198, 527
Gaither v. Ballew, 4 Jones L. (N. Car.) 488, 626
Gaithers v. Blowers, 11 Md. 536, 1807
Galaviz v. International, &c., R. Co., 15 Tex. Civ. App. 61, 1255
Galbraith v. Littlech, 73 Ill. 209, 1014
Gale v. Delaware, &c., R. Co., 7 Hun (N. Y.), 670, 1598
v. New York, &c., R. Co., 76 N. Y. 594, 1105
v. New York, &c., R. Co., 53 How. Pr. (N. Y.) 389, 1812, 1815, 1820
v. Troy, &c., R. Co., 51 Hun (N. Y.), 470, 336, 338
Galena, &c., R. Co., In re, 73 Ill. 494, 963
Galena v. Amy, 5 Wall. 705, 840
v. Corwith, 48 Ill. 423, 906
v. Pound, 22 Ill. 399, 1046a, 1049e
Galena, &c., R. Co. v. Appleby, 28 Ill. 283, 662, 721
v. Crawford, 25 Ill. 529, 670b, 1181
v. Dill, 22 Ill. 265, 1153
v. Fay, 16 Ill. 558, 1163, 1313, 1587, 1629, 1689l, 1831
v. Griffin, 31 Ill. 303, 1194
v. Haslam, 73 Ill. 494, 1040
v. Loomis, 13 Ill. 548, 662, 721, 1102
v. Menzies, 26 Ill. 121, 495, 626

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Galena, &c., R. Co. v. Rae, 18 Ill. 488, 1404, 1462, 1465, 1466, 1468, 1482, 1487, 1551, 1691, 1707, 1720, 1729
v. Stahl, 103 Ill. 67, 626
v. Yarwood, 17 Ill. 509, 1644
v. Yarwood, 15 Ill. 468, 1574
Galesburg, &c., R. Co. v. West, 108 Ill. App. 504, 1564
Gallaghar v. Ashby, 26 Barb. (N. Y.) 143, 1065
v. Coney Island R. Co., 4 N. Y. S. 870, 1096cb
v. New York, &c., R. Co., 57 Conn. 442, 1198
v. Crescent City R. Co., 37 La. Ann. 288, 1095
Gallena v. Hot Springs, &c., R. Co., 13 Fed. R. 116, 1637
Gallery v. National, &c., Bank, 41 Mich. 169, 275
Galliher v. Cadwell, 145 U. S. 368, 803
Galligan v. Old Colony St. R. Co., 182 Mass. 211, 1831
v. Woonsocket St. R. Co., 27 R. I. 363, 1808
Gallin v. London, &c., R. Co., 10 Q. B. 212, 1605, 1645
Galloway v. Chicago, &c., R. Co., 87 Iowa, 458, 1096cl, 1578, 1628, 1643
v. Chicago, &c., R. Co., 56 Minn. 346, 1256
Galpin v. Chicago, &c., R. Co., 19 Wis. 604, 1213
Galt v. Adams Ex. Co., McArth. & M. (U. S. C. C.) 124, 1453, 1510
v. Archer, 7 Gratt. (Va.) 307, 1571
v. Chicago, &c., R. Co., 157 Ill. 125, 1096
v. Swain, 9 Gratt. (Va.) 633, 105
Galveston v. Barbour, 62 Tex. 172, 1689l
v. Galveston City R. Co., 46 Tex. 435, 1096am
Galveston City Co. v. Sibley, 56 Tex. 269, 80
Galveston City, &c., Co. v. Galveston City St. R. Co., 63 Tex. 529, 66
Galveston City, &c., R. Co. v. Gulf City, &c., R. Co., 63 Tex. 529, 1079
v. Hewitt, 67 Tex. 473, 1094, 1096cl, 1096cq, 1257, 1573
v. Nolan, 53 Tex. 139, 1096am, 1096cc
Galveston Hotel Co. v. Bolton, 46 Tex. 633, 104, 108, 111a
Galveston Oil Co. v. Morton, 70 Tex. 400, 1248
Galveston R. Co. v. Chapman, 35 Tex. Civ. App. 551, 1815
v. Texas, 170 U. S. 226, 652
Galveston Wharf Co. v. Gulf, &c., R. Co., 81 Tex. 494, 630, 1080
Galveston, &c., R. Co. v. Abbey, 29 Tex. Civ. App. 211, 1766
v. Allison, 59 Tex. 193, 1440, 1438, 1449, 1490, 1515
v. Appel, 33 Tex. Civ. App. 575, 1812
v. Ball, 80 Tex. 602, 1499, 1510, 1514, 1558, 1736
v. Baudat, 18 Tex. Civ. App. 595, 1023
v. Bonn, 99 S. W. 413, 1288, 1829
v. Borden, 29 S. W. 1100, 1715
v. Botts, 70 S. W. 113, 1730
v. Buch, 27 Tex. Civ. App. 283, 1275
Galveston, &c., R. Co. v. Butshek, 34 Tex. Civ. App. 194, 1806
v. Chambers, 73 Tex. 296, 1689f
v. Chittim, 28 S. W. 700, 1719
v. Chittim, 31 Tex. Civ. App. 40, 1232
v. Cooper, 2 Tex. Civ. App. 42, 1846
v. Cowdrey, 11 Wall. (U. S.) 459, 259, 264, 342, 350, 484, 489, 490, 495, 497, 498, 500, 509, 528, 549, 583, 626, 958, 1065, 1072
v. Crier, 100 S. W. 1177, 1634, 1644
v. Croskell, 6 Tex. Civ. App. 160, 1268
v. Currie, 96 S. W. 1073, 1361
v. Daniels (Tex. Civ. App.), 28 S. W. 711, 1271
v. Davidson, 93 S. W. 436, 765
v. Davis, 27 Tex. Civ. App. 279, 1378a
v. Davis, 4 Tex. Civ. App. 468, 1796
v. Dolores, &c., Co. (Tex. Civ. App.) 26 S. W. 79, 1242
v. Donahoe, 56 Tex. 162, 3, 214, 934, 1265, 1802
v. Duelm (Tex.), 23 S. W. 596, 1160, 1792
v. Eckols, 7 Tex. Civ. App. 429, 1296, 1297
v. Eckles, 25 Tex. Civ. App. 179, 1825
v. Efron, 38 S. W. 639, 1734
v. Evansich, 63 Tex. 54, 1177
v. Fales, 33 Tex. Civ. App. 457, 1647, 1648, 1842
v. Falls, 77 S. W. 234, 1734
v. Farmer, 73 Tex. 85, 1326
v. Fink, 90 S. W. 204, 1840
v. Fitzpatrick, 83 S. W. 406, 1297, 1322
v. Galveston, 90 Tex. 390, 1096p
v. Garrett, 98 S. W. 932, 1766
v. Garteiser, 9 Tex. Civ. App. 456, 473, 1792, 1795
v. Gonzales, 151 U. S. 496, 623
v. Goodwin (Tex. Civ. App.), 26 S. W. 1007, 1268, 1297
v. Gormley, 91 Tex. 393, 201
v. Gormley, 27 S. W. 1051, 1273, 1797
v. Green, 91 S. W. 380, 1635
v. Hampton, 24 Tex. Civ. App. 458, 1812
v. Haynes, 21 Tex. Civ. App. 34, 1315f
v. Henefy, 99 S. W. 884, 1267
v. Henry, 65 Tex. 685, 1059
v. Johnson, 29 S. W. 428, 1689h
v. Herring (Tex. Civ. App.), 36 S. W. 129, 1310, 1499, 1512, 1548, 1550a, 1697
v. Herring (Tex.), 24 S. W. R. 939, 1448
v. Horne, 69 Tex. 643, 1239, 1242
v. Houston, 40 S. W. 842, 1438
v. Hubbard, 70 S. W. 112, 1815
v. Hunt (Tex. Civ. App.), 32 S. W. 549, 1567
v. Hynes, 21 Tex. Civ. App. 34, 1827
v. Ivey, 23 S. W. 321, 1556a
v. Jackson, 37 S. W. 255, 1550, 1551a
v. Johnson, 19 S. W. 867, 1725
v. Johnson, 74 Tex. 256, 1058, 1059, 1060
v. Johnson, 29 S. W. 428, 1755
v. Kief, 58 S. W. 625, 1850
v. Kutac, 76 Tex. 473, 1178, 1704

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Galveston, &c., R. Co. v. Kutac, 72 Tex. 643, 1378a
v. LaGierse, 51 Tex. 189, 668, 724, 1376, 1774
v. Levy, 35 Tex. Civ. App. 107, 1849
v. Long (Tex.), 36 S. W. 485, 1584, 1639, 1696
v. Mames, 84 S. W. 254, 1283
v. Matula, 79 Tex. 577, 1112, 1378, 1378a
v. Matula, 19 S. W. 376, 1793
v. Mohrmann, 93 S. W. 1090, 1355
v. Moore, 59 Tex. 64, 1262
v. Morrison, 102 S. W. 143, 1831, 1833
v. Mortson, 31 Tex. Civ. App. 142, 1813
v. Mud Creek, &c., Co., 1 Tex. App. (Civil Cases) 169, 951, 1010
v. Murray, 99 S. W. 144, 1175, 1368
v. Parsley, 6 Tex. Civ. App. 150, 1578
v. Paschall, 92 S. W. 446, 1812, 1813
v. Patillo, 101 S. W. 492, 1633
v. Perry, 36 Tex. Civ. App. 414, 1296
v. Pfeufer, 56 Tex. 66, 945, 949, 1000a, 1025, 1055
v. Pitts. 42 S. W. 255, 1269
v. Polk (Tex.), 28 S. W. 353, 1226
v. Rheiner (Tex.), 25 S. W. 971, 1239, 1245
v. Rutledge, 37 S. W. 176, 1745
v. Ryon, 80 Tex. 59, 1172
v. Schmidt, 25 S. W. 452, 1465
v. Sherwood, 67 S. W. 776, 1283
v. Short (Tex. Civ. App.), 25 S. W. 142, 1512, 1564
v. Smith, 2 Wilson Civ. Cas. Ct. App. (Tex.) 138, 1752
v. Smith, 76 Tex. 611, 1318, 1321, 1324
v. Smith, 81 Tex. 479, 1651, 1652, 1652a
v. Smith (Tex. Civ. App.), 28 S. W. 110, 1463, 1773
v. Smith (Tex. Civ. App.), 24 S. W. 668, 1652
v. Snead, 4 Tex. Civ. App. 31, 1831
v. State, 81 Tex. 572, 607
v. Stoy, 99 S. W. 135, 1291, 1815, 1829
v. Tait, 63 Tex. 223, 977
v. Tempelton, 87 Tex. 42, 1278, 1766
v. Templeton, 38 Tex. 42, 1296
v. Thompson, 23 S. W. 1019, 1717, 1748
v. Thornsberry, 17 S. W. 521, 1757, 1808, 1820, 1841
v. Tuckett, 25 S. W. 670, 1555, 1727, 1734, 1746
v. Turner, 23 S. W. 83, 1823
v. Turner, 1 Tex. App. Civ. Cas. 344, 1218
v. Udalle, 91 S. W. 330, 1766
v. Van Winkle, 3 Wills Civ. Cas. Ct. App. § 445, 1722, 1737
v. Vollrath. 89 S. W. 279, 1096bp, 1628, 1842, 1843
v. Warnecke, 95 S. W. 600, 1239
v. Warnken (Tex. Civ. App.), 35 S. W. 72, 1554
v. Williams, 25 S. W. 1019, 1714, 1717, 1724
v. Worcester, 100 S. W. 990, 1829
v. Worthy, 87 Tex. 459, 1378a
v. Zantzinger, 92 Tex. 365, 1806, 1849
Galveston, &c., Co. v. Arispe, 5 Tex. Civ. App. 611, 359, 1322
v. Bibb, 3 Tex. App. (Civil Cases) 330, 1057
v. Davis, 4 Tex. Civ. App. 468, 359, 1278
v. Gulf, &c., R. Co., 72 Tex. 454, 1014
Galvin v. Old Colony R. Co., 162 Mass. 533, 1282
Galway v. Metropolitan El. R. Co., 128 N. Y. 132, 949
Galwey v. Baker, 5 Cl. & Fin. 157, 450
Gamacho v. Hamilton, &c., Co., 37 N. Y. S. 725, 296
Gamble v. Great Western R. Co., 3 Up. Can. Error & App. 163, 1654
v. McCrady, 75 N. Car. 509, 1019, 1039
v. Queene County, &c., Co., 123 N. Y. 91, 91, 634
v. Queens, &c., Co., 9 L. R. A. 527, 484
Gammage v. Georgia, &c., R. Co., 65 Ga. 614, 628, 1048
Gana v. Chicago, &c., R. Co., 60 Wis. 12, 350
Gandy v. Chicago, &c., R. Co., 30 Iowa, 420, 1244
Gangawer v. Philadelphia, &c., R. Co., 168 Pa. St. 265, 1170
Ganiard v. Rochester Elec. R. Co., 121 N. Y. 661, 1096cs
v. Rochester City, &c., R. Co., 50 Hun (N. Y.), 22, 1096cs, 1800
Ganly v. Brooklyn City R. Co., 7 N. Y. S. 854, 1096cy
Gann v. Chicago, &c., R. Co., 72 Mo. App. 34, 1503, 1730
v. Nashville, &c., R. Co., 101 Tenn. 380, 1311, 1316, 1319
v. Northeastern R. Co., 57 Fed. R. 417, 651
Gannon v. New Orleans, &c., R. Co., 48 La. Ann. 1002, 1096cd, 1096cl
Gans, Ex parte, 17 Fed. R. 471, 675
Gano v. Minneapolis, &c., R. Co., 114 Ia. 719, 665
Ganther v. Jenks & Co., 76 Mich. 510, 266
Garbracht v. Commonwealth, 96 Pa. St. 449, 1414
Garbutt Lumber Co. v. Georgia R. &c., Co., 111 Ga. 714, 1010
Gard v. Callard, 6 M. & S. 69, 1560
Garden Grove Bank v. Humeston, &c., R. Co., 67 Iowa, 526, 1417
Garden Gully, &c., Co. v. McLister, L. R. 1 App. Cas. 39, 152, 154, 259
Gardiner v. Detroit, &c., R. Co., 97 Mich. 240, 1166
Gardner v. Air Line Co., 97 Ga. 482, 1631
v. Brookline, 127 Mass. 358, 994, 1038
v. Detroit St. R. Co., 99 Mich. 182, 1698
v. Detroit, &c., R. Co., 97 Mich. 240, 1171, 1179, 1179b
v. Georgia, &c., R. Co., 117 Ga. 522, 962
v. Hamilton, &c., Ins. Co., 33 N. Y. 421, 327
v. Haney, 86 Ind. 17, 843
v. Interborough Rapid Transit Co., 45 Misc. (N. Y.) 424, 1591
v. James, 5 R. I. 235, 339

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gardner v. London, &c., Ry. Co., Law R. 2 Ch. App. 201, 493, 495, 496, 538, 539, 540
v. Michigan, &c., R. Co., 150 U. S. 349, 1271, 1272, 1273, 1276, 1702
v. Mobile, &c., R. R. Co., 102 Ala. 635, 520
v. New Haven, &c., R. Co., 51 Conn. 143, 1608, 1629, 1645
v. Newburgh, 2 Johns. Ch. (N. Y.) 162, 632, 953, 979
v. St. Louis, &c., R. Co., 117 Mo. App. 138, 1801
v. Smith, 7 Mich. 410, 1208
v. Southern R. Co., 127 N. Car. 293, 1510
v. State, 21 N. J. L. 557, 746
v. Templeton St. R. Co., 184 Mass. 294, 1096aa
v. Walsh, 95 Mich. 505, 117
v. Watson, 13 Ill. 347, 505
Gardner, &c., Bank v. Taber-Prang, &c., Co., 189 Mass. 363, 321
Garland v. Wynn, 20 How. 6, 809
Garlich v. Northern Pac. R. Co., 131 Fed. 837, 1164
Garlick v. Pittsburgh, &c., Co., 67 Ohio St. 223, 938b, 946c
Garlington v. Ft. Worth, &c., R. Co., 35 Tex. Civ. App. 274, 1730
Garmoe v. Sturgeon, 65 Iowa, 147, 1023. 1025
Garner v. St. Louis, &c., R. Co., 96 S. W. 187, 1403
v. Second Nat. Bank, 66 Fed. R. 369, 654
v. Trumbull, 94 Fed. 359, 1257
Garnett v. Jacksonville, &c., R. Co., 20 Fla. 889, 1087
v. Richardson, 35 Ark. 144, 18, 190
Garragan v. Iron Works, 158 Mass. 596, 1278a
Garraher v. San Francisco, &c., R. Co., 81 Cal. 98, 1163
Garrahy v. Kansas City, &c., R. Co., 25 Fed. R. 258, 1318
Garrard v. Pittsburgh, &c., R. R. Co., 29 Pa. St. 154, 629
Garrett v. Burlington, &c., Co., 70 Iowa, 697, 604
v. Chicago, &c., R. Co., 36 Iowa, 121, 1242
v. Dillsburg, &c., R. R. Co., 78 Pa. St. 465, 102, 106, 176
v. Kansas, &c., Co., 113 Mo. 330, 91
v. Lake Roland El. R. R. Co., (Md.) 24 L. R. A. 396, 7
v. Lake Roland, &c., Co., 79 Md. 277, 976, 1085, 1091
v. Memphis, 6 Fed. R. 860, 918
v. Peoples R. Co. (Del.) 64 Atl. 254, 1095, 1096bo
v. St. Louis, 25 Mo. 505, 950
v. Southern R. Co., 101 Fed. 102, 1242
Garretzen v. Duenckel, 50 Mo. 104, 214
Garrick v. Florida, &c., R. Co., 53 S. Car. 448, 1378 16891
Garrison v. New York, 21 Wall. 196, 1053
v. Technic, &c., Works, 55 N. J. Eq. 708, 128
v. Texas, &c., R. Co., 30 S. W. 725, 581
v. United R. & El. Co., 97 Md. 347, 1096db, 1594
Garside v. Trent, &c., Navigation, 4 T. R. 581, 1464
Garteiser v. Galveston, &c., R. Co., 2 Tex. Civ. App. 230, 1155
Garth v. Caldwell, 72 Mo. 622, 1703
Gartner v. Chicago, &c., R. Co., 98 N. W. 1052, 1057
Garton v. Bristol, &c., R. Co., 1 B. & S. 112, 1393, 1467, 1560
v. Great Western R. Co., 5 C. B. (N. S.) 669, 1677
Gartside Coal Co. v. Maxwell, 22 Fed. R. 197, 190
Garver v. Kent, 70 Ind. 428, 537, 568
Garvey v. Long Island R. Co., 159 N. Y. 323, 979
Garvich v. United R. Co., 101 Md. 239, 1096bo
Garvik v. Burlington, &c., R. Co., 124 Ia. 691, 1638, 1836
v. Burlington, &c., R. Co., 108 N. W. 327, 1638
Garvin v. Daussman, 114 Ind. 429, 771
Garwood v. New York, &c., R. Co., 17 Hun (N. Y.), 356, 1049
v. New York Cent. R. Co., 83 N. Y. 400, 960, 977
Gary v. Railway Co., 17 Tex. Civ. App. 129, 1578a
v. Wells, &c., R. Co., 40 S. W. 845, 1802
Gas Light, &c., Co. v. New Albany, 156 Ind. 406, 1096l
Gashwiler v. Willis, 33 Cal. 11, 170, 206, 256, 349
Gaskell v. Viquesney, 122 Ind. 244, 511
Gaslight, &c., Co. v. Terrell, L. R. 10 Eq. 168, 604
Gasquet v. Crescent City, &c., Co., 49 Fed. R. 496, 89
Gass v. Missouri, &c., R. Co., 57 Mo. App. 574, 1175
v. New York, &c., R. Co., 99 Mass. 220, 1443, 1444, 1445
Gasser v. Sun Fire Office, 42 Minn. 315, 509
Gaston v. Bristol, &c., R. Co., 1 Best & S. 112, 1678
v. Gansville, &c., R. Co., 120 Ga. 516, 934b, 946c
Gastonia v. McEntee, &c., Co., 131 N. C. 363, 1060a
Gasway v. Atlanta, &c., R. Co., 58 Ga. 216, 1265, 1589, 1638
Gatch v. Des Moines, 63 Ia. 718, 1019
Gates v. Barrett, 79 Ky. 295, 751
v. Boston, &c., R. Co., 53 Conn. 333, 431, 509, 531, 533, 954a
v. Burlington, &c., R. Co., 39 Iowa, 45, 1114, 1206
v. Bucki, 53 Fed. 969, 654
v. Chicago, &c., R. Co., 42 Neb. 379, 1482, 1520, 1523
v. Chicago, &c., R. Co., 4 S. Dak. 433, 1269
v. Chicago, &c., R. Co., 82 Iowa, 527, 5
v. Ryan, 37 Fed. R. 154, 1559
v. Salmon, 35 Cal. 576, 934
Gateward's Case, 6 Coke, 60, 947
Gatliffe v. Bourne, 4 Bing. (N. C.) 314, 1527a, 1533
Gatling Gun, &c., Re, 62 L. T. R. 312, 87
Gatton v. Chicago, &c., R. Co., 95 Ia., 112, 1564, 1565, 1669, 1670
Gatz v. Highland, &c., R. Co., 165 Mo. 211, 945
Gatzow v. Buening, 106 Wis. 1, 1714
Gaus, &c., Co. v. St. Louis, &c., R. Co., 113 Mo. 308, 1087

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gause v. Bullard, 16 La. Ann. 197, 789
v. Clarksville, 1 Fed. R. 353, 894
v. Clarksville, 5 Dillon (U. S.), 165, 906, 911
v. Clarksville, 1 McCrary, 78, 903
Gavett v. Manchester, &c., R. Co., 16 Gray (Mass.), 501, 1628
Gavin v. City of Chicago, 97 Ill. 311, 1259
v. Vance, 33 Fed. R. 84, 653
Gay v. Boston, &c., R. Co., 141 Mass. 407, 1140, 1141
v. Bradstreet, 49 Me. 580, 858
v. Caldwell, 3 Ky. 63, 1046a
v. Essex Elec. St. R. Co., 159 Mass. 242, 1260, 1261, 1771
v. New Orleans Pacific R. Co., 32 La. Ann. 277, 1049
Gay Mfg. Co. v. Gittings, 53 Fed. R. 45, 614
Gaylord v. Fort Wayne, &c., R. Co., 6 Biss. (U. S.) 286, 48, 553
v. Sanitary Dist., 204 Ill. 576, 952a, 952c, 1096g
Gaynor v. Old Colony, &c., R. Co., 100 Mass. 208, 1152, 1153, 1154, 1590, 1592, 1628
Gazell, The, 128 U. S. 474, 1536, 1558
G. C. R. Co. v. G. C. S. R. Co., 63 Tex. 529, 1096ac
Gear v. Chicago, C. & D. R. Co., 43 Iowa, 83, 1005, 1096an
v. Dubuque, &c., R. Co., 20 Iowa, 523, 1027, 1031, 1033, 1050
Geary v. Metropolitan St. R. Co., 73 App. Div. (N. Y.) 441, 1378b
Gebhard v. Detroit, &c., R. Co., 79 Mich. 586, 1179l
Geddes v. Toronto, &c., R. Co., 14 U. C. C. P. 513, 480
Gee v. Metropolitan R. Co., L. R. 8 Q. B. 161, 1633
Geer v. Mathieson Alkali Works, 190 U. S. 428, 621b
v. Michigan Cent. R. Co., 142 Mich. 511, 24
Geiger v. Hussey, 63 Ala. 338, 1070
v. Western, &c., R. Co., 41 Md. 4, 715, 1058, 1062
Geiler v. Manhattan R. Co., 11 Misc. 413, 1689l
Geiser v. St. Louis, &c., R. Co., 1 Mo. App. R. 672, 1207
Geismer v. Lake Shore, &c., R. Co., 102 N. Y. 563, 1459, 1484, 1520
Geisse v. Beall, 5 Wis. 224, 565
Geist v. Detroit, &c., R. Co., 91 Mich. 446, 1163, 1704
Geitz v. Milwaukee, &c., R. Co., 72 Wis. 307, 1096cp, 1096cz, 1636
Geloneck v. Dean, &c., Co., 165 Mass. 202, 1347
Gelpcke v. Dubuque, 1 Wall. (U. S.) 175, 1, 768, 896, 900, 916
. Milwaukee, &c., R. Co., 11 Wis. 454, 565
Gemmell v. Davis, 75 Md. 546, 99, 100, 101, 306, 310
General Elec. R. Co. v. Chicago, &c., R. Co., 184 Ill. 588, 1096c
General Elec. Co. v. Southern R. Co., 51 S. E. 695, 1426, 1427
v. Whitney, 74 Fed. 664, 579
General Estates Co., In re, L. R. 3 Ch. 758, 484
General Fire Extinguisher Co. v. Carolina, &c., R. Co., 137 N. C. 278, 1457a
General Ins. Co. v. United States Ins. Co., 10 Md. 517, 269
General Mut. Ins. Co. v. Sherwood, 14 How. (U. S.) 351, 1509
General South American Co., In re, L. R. 2 Ch. Div. 337, 497, 504
Genesee Tp. v. McDonald, 98 Pa. St. 444, 247, 248
Geneva v. Burnett, 65 Neb. 464, 1783
Geneva, &c., R. Co. v. New York, &c., R. Co., 163 N. Y. 228, 1096j, 1096bp
v. Sage, 35 Hun (N. Y.), 95, 1572
Genet v. Brooklyn, 99 N. Y. 296, 953
Gent v. Manufacturer's, &c., Ins. Co., 107 Ill. 652, 14
Gentry v. Griffith, 27 Tex. 461, 950
Geoghegan v. Atlas, &c., R. Co., 146 N. Y. 369, 1286, 1301
v. Third Ave. R. Co., 51 App. Div. (N. Y.) 369, 1773, 1798
Geo. D. Shore Bros. v. Baltimore, &c., R. Co., 57 S. E. 526, 1674
George Dumois, The, 88 Fed. 537, 1730
George v. Central R. &c., Co., 101 Ala. 607, 162, 165, 174, 359
v. Chicago, &c., R. Co., 57 Mo. App. 358, 1516, 1727
v. Los Angeles R. Co., 126 Cal. 357, 1096cc, 1096cr, 1096cs
v. St. Louis, &c., R. Co., 34 Ark. 613, 1585, 1644
v. Tate, 102 U. S. 564, 1377
George's Creek Coal Co. v. New Central Coal Co., 40 Md. 425, 1045, 1053
George F. Ditman, &c., Co. v. Keokuk, &c., R. Co., 91 Iowa, 416, 1652
George, &c., Brewing Co. v. Wood, 87 S. W. 772, 1327
Georgetown v. Alexandria Canal Co., 12 Pet. (U. S.) 91, 631
Georgetown, &c., R. Co. v. Doyle, 9 Colo. 549, 1057
v. Eagles, 9 Colo. 544, 937, 1056, 1057, 1799
Georgetown, &c., Traction Co. v. Mulholland, 25 Ky. L. 578, 1096c, 1096be
Georgia Cent. R. Co. v. Alabama, &c., R. Co., 130 Ala. 559, 1053
v. Perkerson, 112 Ga. 923, 1378
Georgia Ice Co. v. Porter, 70 Ga. 637, 619
Georgia Pac. R. Co. v. Brock, 84 Ala. 138, 1347
v. Davis, 92 Ala. 300, 1282, 1293, 1312, 1321, 1697
v. Dooley, 86 Va. 294, 1280
v. Hughes, 87 Ala. 610, 1178, 1213
v. Lee, 92 Ala. 262, 1175
v. Love, 91 Ala. 432, 1635, 1644
v. Wilks, 86 Ala. 478, 21, 323, 393, 970
Georgia R. Co. v. Cannon, 106 Ga. 828, 1776, 1789
v. Hart, 60 Ga. 550, 173, 1017
v. Homer, 73 Ga. 251, 1823
v. Ivey, 73 Ga. 499, 668, 1344
v. Johnson, 113 Ga. 589, 1647
Georgia R. & Elec. Co. v. Baker, 120 Ga. 991, 1283
Georgia R., &c., Co. v. Eskew, 86 Ga. 641, 1804, 1823
v. Haas (Ga.), 56 S. E. 313, 430, 467, 475
v. Hayden, 71 Ga. 518, 1799
v. Maddox, 42 Ga. 315, 919
v. Tice, 124 Ga. 459, 1822
v. Wright, 125 Ga. 589, 736, 741a, 751b

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Georgia Southern, &c., R. Co. v. Barton, 101 Ga. 466, 490
v. Mercantile Trust Co., 94 Ga. 306, 20
v. Small, 87 Ga. 355, 985
Georgia, &c., Elec. Co. v. Reeves, 123 Ga. 697, 1759
Georgia, &c., R. Co. v. Asmore, 88 Ga. 342, 1637
v. Beatie, 66 Ga. 438, 1502, 1511, 1545
v. Berry, 78 Ga. 744, 1804
v. Bigelow, 68 Ga. 219, 1598
v. Brooks, 84 Ala. 138, 1338
v. Brown, 86 Ga. 320, 1351
v. Brown, 120 Ga. 380, 1593
v. Bryant, 73 Ga. 722, 1553
v. Chicago, &c., R. Co., 51 Wis. 603, 1373
v. Clarke, 97 Ga. 706, 1593
v. Cole, 68 Ga. 623, 1449
v. Columbus, &c., R. Co., 89 Ga. 205, 632, 1119, 1126, 1135
v. Cosby, 97 Ga. 299, 1350
v. Crawley, 87 Ga. 191, 1218
v. Dougherty, 86 Ga. 744, 213, 1594
v. Evans, 87 Ga. 673, 1153
v. Forrester, 96 Ga. 428, 1450
v. Fullerton, 79 Ala. 298, 1218
v. Gaines, 88 Ala. 377, 323, 1689h
v. Gann, 68 Ga. 350, 1501
v. Goldwire, 56 Ga. 196, 1344
v. Hallman, 97 Ga. 317, 1314
v. Harris, 83 Ga. 393, 1204
v. Hughart, 90 Ala. 36, 1438, 1450, 1510, 1736
v. Johnson, 121 Ga. 231, 1491, 1510
v. Keating, 99 Ga. 308, 1807, 1827
v. Keener, 93 Ga. 808, 1510, 1516
v. McCurdy, 45 Ga. 288, 1628, 1643
v. Maddox, 116 Ga. 64, 42, 356, 359, 430, 432, 446, 718, 1056b, 1057, 1057j, 1479
v. Marshman, 121 Ga. 235, 1403, 1411
v. Miller, 90 Ga. 571, 668, 1697
v. Monroe, 49 Ga. 373, 1213
v. Murden, 86 Ga. 434, 1576
v. Murrah, 85 Ga. 343, 1451, 1570
v. Neely, 56 Ga. 540, 1180, 1209
v. Nelms, 83 Ga. 70, 1267, 1274, 1278a, 1309, 1347
v. Parks, 93 Ga. 228, 1176
v. Phillips, 93 Ga. 801, 1652
v. Pound, 111 Ga. 6, 1522, 1527a, 1711
v. Propst, 85 Ala. 203, 1342, 1766
v. Propst, 83 Ala. 518, 3, 302, 1274, 1278, 1284, 1305, 1342, 1588
v. Ray, 84 Ga. 376, 630, 1096
v. Reeves, 64 Ga. 492, 939, 945
v. Reid, 91 Ga. 377, 1510, 1553
v. Ridlehuber, 38 S. Car. 308, 1011
v. Ross, 100 Ala. 490, 1257
v. Scott, 38 S. Car. 34, 1000a
v. Smith, 85 Ga. 530, 1218
v. Smith, 83 Ga. 626, 1451
v. Smith, 70 Ga. 694, 39, 675, 676, 677, 678, 683
v. Smith, 128 U. S. 174, 2, 43, 672, 676, 689, 690, 777, 1102, 1593
v. Spears, 66 Ga. 485, 1511
v. Stollenwerck, 122 Ala. 539, 624
Georgia, &c., R. Co. v. Strauss, 110 Ga. 189, 1795
v. Thompson, 86 Ga. 327, 1651, 1652
v. Underwood, 90 Ala. 49, 1174, 1633
v. Wall, 80 Ga. 202, 1204
v. Wallace, 122 Ga. 547, 1735
v. Watkins, 97 Ga. 381, 1642
v. Williams, 93 Ga. 253, 1160
v. Wood, 94 Ga. 124, 1265
Georgia, &c., Co. v. Nelms, 71 Ga. 301, 806
Gephart v. St. Louis, &c., R. Co., 97 Mo. App. 373, 1096cf
Gerard v. McCormick, 130 N. Y. 261, 94
Gerardy v. Louisville, &c., R. Co., 102 N. Y. S. 548, 1596
Gere v. New York Cent. & H. R. R. Co., 19 Abb. N. C. 193, 434, 437, 455
Gerhard v. Bates, 2 El. & Bl. 476, 13
v. Seekonk, &c., Commissioners, 15 R. I. 334, 1086
Gerhart v. Railroad Co., 110 Mo. App. 105, 1590a
Gerke, &c., Co. v. Louisville, &c., R. Co., 5 Interst. Com. Com. R. 596, 1678
v. Louisville, &c. Co., 4 Interst. Com. R. 267, 1682
Gerling v. Baltimore, &c., R. Co., 151 U. S. 673, 655a
Germain v. Montreal, &c., R. Co., 6 Low. Can. 172, 1587
German v. Chicago, &c., R. Co., 38 Iowa, 127, 1548
German Insurance Co. v. Chicago, &c., R. Co., 128 Ia. 386, 1245
v. Manning, 95 Fed. 597, 883
German Mining Co., In re, 4 DeG., M. & G. 19, 268
German National Banks Receiver v. Nagel, 26 Ky. L. 748, 127
German Reformed Church v. Von Puechelstein, 27 N. J. Eq. 30, 616
German Savings Bank v. Franklin County, 128 U. S. 526, 895, 899, 908, 915
v. Wulfekuhler, 19 Kan. 60, 95
German, &c., Assn. v. Scholler, 10 Minn. 331, 409
German, &c., Bank v. Jefferson, 10 Bush (Ky.), 326, 99
Germania, &c., Assn. v. Wagner, 61 Cal. 349, 1075
Germania Ins. Co. v. Wisconsin, 119 U. S. 473, 652
Germania, &c., Ins. Co. v. Memphis & C. R. Co., 72 N. Y. 90, 1417, 1423, 1502
Germantown Avenue, In re, 99 Pa. St. 479, 1054
Germantown, &c., R. Co. v. Brophy, 105 Pa. St. 38, 1633
v. Walling, 97 Pa. St. 55, 1096cz, 1630
Germantown, &c., Co. v. Fitler, 60 Pa. St. 124, 73, 110, 146, 151, 154, 182, 184, 602
Gerrard v. La Crosse City R. Co., 113 Wis. 258, 1096ap
v. Omaha, &c., R. Co., 14 Neb. 270, 1003, 1025
Gerren v. Hannibal, &c., R. Co., 60 Mo. 405, 1194, 1195
Gerrish v. New Haven Ice Co., 63 Conn. 9, 1321

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gerstner v. New York, &c., R. Co., 81 App. Div. 562, 1296
Gertgens v. O'Connor, 191 U. S. 237, 803
Gest v. New Orleans, &c., R. Co., 30 La. Ann. 28, 544, 547
Getchell v. Chase, 124 Mass. 366, 625
Getchell, &c., Co. v. National Surety Co., 124 Ia. 617, 1060a
Getty v. Devlin, 54 N. Y. 403, 11, 13, 275
Gettysburg National Bank v. Brown, 95 Md. 367, 111a
Gettysburg, &c., Assn. v. Electric R. Co., 2 Pa. Dist. 659, 1096bl
Getz's Appeal, 10 W. N. C. (Pa.) 453, 923
Getz, Appeal of, 3 Am. & Eng. R. Cas. 186, 923, 960
Getz's Appeal, 65 Pa. St. 1, 4
Getz v. Philadelphia, &c., R. Co., 105 Pa. 547, 1003a, 1025, 1049c
Geveke v. Grand Rapids, &c., R. Co., 57 Mich. 589, 1812
Geyer v. Western Ins. Co., 3 Pittsb. (Pa.) 41, 100
Geyette v. Fitchburg R. Co., 162 Mass. 549, 1357
Geyser Mining Co. v. Salt Lake Bank, 16 Utah, 163, 584
Geyser &c., R. Co. v. Stark, 45 C. C. A. 467, 94
Ghormley v. Dinsmore, 51 N. Y. Super. Ct. 196, 1512
Giant Powder Co. v. Oregon Pac. R. Co., 42 Fed. R. 470, 1066, 1068, 1071
Giardina v. St. Louis, &c., R. Co., 185 Mo. 330, 1096cp
Gibbes v. Greenville, &c., R. Co., 15 S. Car. 304, 561, 587
v. Greenville & C. R. R. Co., 13 S. Car. 228, 503, 508
Gibbon's Case, 15 Ct. Cl. 174, 1060
Gibbon v. Paynton, 4 Burr. 2298, 1421, 1491, 1495
v. Wisconsin, &c., R. Co., 66 Wis. 161, 1226, 1238
Gibbons v. Bente, 51 Minn. 499, 105
v. Farwell, 63 Mich. 344, 1526, 1537
v. Grinsel, 79 Wis. 365, 105
v. Mahon, 4 Mackey, 130, 307
v. Mahon, 136 U. S. 549, 78, 307, 320
v. Mainwaring, 9 Sim. 77, 556
v. McDougall, 26 Grant's Ch. (Ont.) 214, 514
v. Missouri, &c., R. Co., 40 Mo. App. 146, 1033
v. Ogden, 9 Wheat. 1, 690, 764, 1663, 1668, 1673
v. Wilkesbarre, &c., R. Co., 155 Pa. St. 279, 1096cn
v. Wisconsin, &c., R. Co., 58 Wis. 335, 1238, 1243a, 1244
Gibbs, Ex parte, 1 Ch. Div. 101, 1543
Gibbs v. Consolidated Gas Co., 130 U. S. 396, 366, 385, 388, 1675
v. Drew, 16 Fla. 147, 4
v. Great Western, &c., R. Co., L. R. 12 Q. B. D. 208, 1337, 1356
v. McNeeley, 118 Fed. 120, 1674
Gibert v. Washington, &c., R. Co., 33 Gratt. (Va.) 586, 522, 523, 567, 590
Giblin v. National S. S. Co., 8 Misc. (N. Y.) 22, 1750
v. National, &c., Co., 28 N. Y. Supp. 69, 1548
Gibney v. St. Louis, &c., R. Co., 103 S. W. 43, 1820
Gibson v. American, &c., Ex. Co., 1 Hun, 387, 1425, 1530
v. Barbour, 100 N. C. 192, 529
v. Brown, 44 Fed. R. 98, 1558
v. Burlington, &c., R. Co., 107 Ia. 596, 1769
v. Carruthers, 3 Mees. & W. 321, 1539
v. Cranage, 39 Mich. 49, 1059
v. Culver, 17 Wend. (N. Y.) 305, 1522, 1527
v. Delaware, &c., Co., 65 Vt. 213, 1689f
v. East Tenn., &c., Co., 30 Fed. 904, 1823
v. Erie R. Co., 63 N. Y. 449, 1269, 1272, 1312
v. Goldthwaite, 7 Ala. 281, 285, 411
v. Gwinn, 107 Mass. 126, 1570
v. Hamilton, &c., R. Co., 21 Wash. 362, 581
v. Leonard, 143 Ill. 182, 1248, 1250
v. Manufacturer's, &c., Co., 144 Mass. 81, 621
v. Martin, 8 Paige Ch. (N. Y.) 481, 556
v. Mason, 5 Nev. 283, 33, 1573
v. Midland R. Co., 2 Ont. R. 658, 1368
v. Minneapolis, &c., R. Co., 55 Minn. 177, 1278
v. Northern, &c., R. Co., 22 Hun, 289, 1278
v. Pacific R. Co., 46 Mo. 163, 1268, 1296, 1314, 1316
v. South Eastern, &c., R. Co., 1 F. & F. 23, 1242
v. Southern R. Co., 140 Fed. 410, 1175
v. Stevens, 8 How. 384, 1428
v. Sturge, 10 Exch. 622, 1558, 1561
v. United States, 166 U. S. 269, 976, 977, 980a
v. Western, &c., R. Co., 164 Pa. St. 142, 1377
Gier v. Los Angeles, &c., R. Co., 108 Cal. 129, 1351
Giesy v. Cincinnati, &c., R. Co., 4 Ohio St. 308, 393, 950, 952, 960, 987, 995, 1036
Giffen v. Lewiston, 6 Idaho, 231, 1819
Gifford v. New Jersey R. Co., 10 N. J. Eq. 171, 45, 161, 275, 378, 1049
v. Republican Valley, &c., R. Co., 20 Neb. 538, 1053
v. Thompson, 115 Mass. 478, 307
Gila Valley, &c., R. Co., v. Lyon, 203 U. S. 465, 1333a, 1689l
v. Lyon, 80 Pac. 337, 1306
Gilbart v. Dale, 5 Ad. & El. 543, 1448
Gilbert's Case, L. R. 5 Ch. App. C. 559, 93, 291
Gilbert v. Burlington, &c., R. Co., 128 Fed. 533, 1272a, 1296, 1296b, 1313
v. Erie R. Co., 97 Fed. 747, 1175, 1689e
v. Flint, &c., R. Co., 51 Mich. 488, 1179e
v. Gould, 144 Mass. 601, 1277, 1302
v. Greeley, &c., R. Co., 13 Colo. 501, 981
v. Kennedy, 22 Mich. 117, 1798

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a: *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gilbert v. North London, &c., R. Co., 1 Cababe & E. 31, 1587
v. Savannah, &c., R. Co., 69 Ga. 396, 937, 1056, 1057
v. Showerman, 23 Mich. 448, 631
v. Third Ave. R. Co., 22 J. & S. (N. Y.) 270, 1700
v. Washington City, &c., R. R. Co., 33 Gratt. (Va.) 586, 465, 486, 487
v. West End St. R. Co., 160 Mass. 403, 1096cy, 1628
Gilbert Elevated R. Co., Matter of, 70 N. Y. 361, 954
Gilbrough v. Norfolk, &c., R. R. Co., 1 Hughes (U. S.), 410, 484
Gilcrest v. Gottschalk, 39 Iowa, 311, 1075
Gildart v. Gladstone, 11 East, 675, 41
Gile v. Stevens, 13 Gray, 146, 389
Giles v. Austin, 62 N. Y. 486, 945
v. Caines, 3 Caines (N. Y.), 107, 1017
v. East Line, &c., R. Co. (Tex. Civ. App.) 26 S. W. 1111, 55
v. Fauntleroy, 13 Md. 126, 1647
v. Hutt, 3 Ex. 18, 150
v. Stanton, 86 Tex. 620, 55, 612
v. Taff Vale R. Co., 2 El. & Bl. 822, 204, 297, 1406
Gilfillan v. Union Canal Co., 109 U. S. 401, 533
Gilham v. Madison Co. R. Co., 49 Ill. 484, 1057f
Gilkey v. Paine, 80 Me. 319, 307
Gill v. Atlantic, &c., R. Co., 27 Ohio St. 240, 1186, 1188
v. Balls, 72 Mo. 424, 87, 176, 440
v. Chicago, &c., R. Co., 117 Ia. 278, 934a, 946c
v. Great Eastern R. Co., 26 L. T. N. S. 945, 1628
v. Kentucky, &c., Co., 7 Bush (Ky.), 635, 20
v. Manchester, &c., R. Co., L. R. 8 Q. B. 186, 1548, 1552
v. Milwaukee, &c., R. Co., 76 Wis. 293, 1010, 1034
v. New York Cab Co., 48 Hun, 524, 272
Gillam v. Sioux City R. Co., 26 Minn. 268, 670b
Gillenwater v. Madison, &c., R. Co., 5 Ind. 339, 213, 1587
Gillespie v. Brooklyn Heights R. Co., 178 N. Y. 347, 1816
v. Fort Wayne, &c., R. Co., 17 Ind. 243, 136
v. Gaston, 67 Tex. 599, 743
v. McGowan, 100 Pa. St. 144, 1259
v. St. Louis, &c., R. Co., 6 Mo. App. 554, 1584, 1634, 1644
Gillett v. Balcom, 6 Barb. (N. Y.) 370, 505
v. Bowen, 23 Fed. R. 625, 237
v. McGonigal, 80 Wis. 158, 1041
v. Western R. R., 8 Allen (Mass.), 560, 1218
v. Chester, &c., R. Co., 2 Pa. Dist. R. 450, 1080
Gillgan v. New York, &c., R. Co., 1 E. D. Smith (N. Y.), 453, 1822
Gillham v. Madison County R. Co., 49 Ill. 484, 977
Gilliam v. South, &c., R. Co., 70 Ala. 268, 1265
Gilligan v. Providence, 11 R. I. 258, 1001, 1023
Gilliland v. Middlesex, &c., Trc. Co., 67 N. J. L. 542, 1096br
Gillingham v. Ohio River R. Co., 35 W. Va. 588, 1265, 1577, 1589, 1638
Gillis v. Bailey, 21 N. H. 149, 225, 258
v. Pennsylvania R. Co., 59 Pa. St. 129, 1154, 1249, 1250, 1256
Gillison v. Savannah, &c., R. Co., 7 So. Car. 173, 526, 1048
Gilman v. Brown, 115 Wis. 1, 1803
v. Eastern, &c., Co., 13 Allen, 433, 213, 1788, 1796
v. Eastern, &c., Co., 10 Allen, 233, 213, 1286, 1292, 1300, 1308, 1578
v. European, &c., R. Co., 60 Me. 235, 670b, 1188
v. Hall, 11 Vt. 510, 1060
v. Hudson River, &c., Co., 23 L. R. A. 52, 555
v. Illinois, &c., R. R. Co., 91 U. S. 603, 495, 626
v. Ketcham, 84 Wis. 60, 555
v. New Orleans, &c., R. R. Co., 72 Ala. 566, 484, 485
v. Philadelphia, 3 Wall. 713, 658, 980a, 1057c, 1663, 1668
v. Railroad Co., 20 Ore. 285, 1318
v. Sheboygan, &c., R. Co., 40 Wis. 653, 526, 1008, 1048, 1055
v. Sheboygan, &c., R. Co 37 Wis. 317, 526, 1048, 1049
Gilman, &c., Co. v. Spencer, 76 Ill. 192, 1181
Gilman, &c., R. Co. v. Kelly, 77 Ill. 426, 89, 227, 229, 1058
Gilmer v. Lime Point, 19 Cal. 47, 1027
v. Lime Point, 18 Cal. 229, 950, 952, 953
v. Mobile, &c., R. Co., 79 Ala. 569, 945
v. Stone, 120 U. S. 586, 423
Gilmore v. Driscoll, 122 Mass. 199, 1057b
v. Federal St., &c., R. Co., 153 Pa. St. 31, 1094, 1096ce
v. Hannibal, &c., R. Co., 67 Mo. 323, 1669
v. Northern Pac. Railroad, 18 Fed. R. 866, 1304, 1317
v. Oxford, &c., Co., 55 N. J. Law, 39, 1318
v. Pittsburgh, &c., R. Co., 104 Pa. St. 275, 995
v. Union Pac. Railway Co., 18 Fed. 866, 1304
Gilpin v. Missouri, &c., R. Co., 197 Mo. 319, 1198, 1702
Gilroy, In re, 85 Hun, 424, 1018
Gilshannon v. Storybrook, &c., Co., 10 Cush. 228, 215, 1251, 1267, 1303, 1303a, 1578
Gilson v. Board, 128 Ind. 65, 825
v. Chouteau, 13 Wall. 92, 806, 810
v. Dayton, 123 U. S. 59, 831, 883, 896, 905
v. Delaware, &c., R. Co., 65 Vt. 213, 1251, 1264
v. Jackson, &c., R. Co., 76 Mo. 282, 1402, 1583, 1585
Gimbel v. Stolte, 59 Ind. 446, 1025
Ginn v. Ogdenburg Transit Co., 85 Fed. 985, 1512
Ginna v. Second Ave. R. Co., 67 N. Y. 596, 1096cz
Giozza v. Tierman, 148 U. S. 165, 772a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Giraiel v. St. Louis, &c., R. Co., 123 Mo. 358, 1377
Girard, In re, 3 Wall. Jr. (U. S. C. C.) 263, 646
Girard v. Kalamazoo, 92 Mich. 610, 1689l
Girard College, &c., R. Co. v. Thirteenth, &c., R. Co., 7 Phila. (Pa.) 620, 931
Girard, &c., Co. v. Cooper, 51 Fed. R. 332, 567, 1058
Girardot v. Midland, &c., R. Co., 4 R. Canal Traf. Cas. 291, 1677
v. Midland R. Co., 5 R. & Canal Traf. Cas. 60, 1678
Girtman v. Central, &c., Co., 1 Ga. 173, 1181
Girvin v. New York, &c., R. Co., 166 N. Y. 289, 1265
Given v. Western Union Tel. Co., 24 Fed. R. 119, 1576
Givens v. Kentucky Cent. R. Co. (Ky.) 15 S. W. 1057, 1172, 1257, 1260, 1261
v. Kentucky Cent. R. Co., 89 Ky. 231, 1361a
v. Louisville, &c., R. Co., 72 S. W. 320, 1153
v. Louisville, &c., R. Co., 24 Ky. L. 1796, 1851
Gladson v. Minneapolis, 166 U. S. 427, 682a, 931a
Glaessner v. Anheuser-Bush, &c., Assn., 100 Mo. 508, 1077, 1096h
Glaize v. South Carolina R. Co., 1 Strobh. (S. Car.) L. 70, 24, 621
Glandon v. Chicago, &c., R. Co., 68 Ia. 457, 1181
Glanz v. Chicago, &c., R. Co., 119 Ia. 611, 1224, 1225, 1244, 1245a
Glasco v. New York, &c., R. Co., 36 Barb. (N. Y.) 557, 1650, 1656
Glascock v. Central, &c., R. Co., 73 Cal. 137, 1163, 1166, 1702
Glaser v. Glenwood R. Co., 208 Pa. 328, 958, 969
Glasgow v. Metropolitan St. R. Co., 191 Mo. 347, 1689i, 1804
v. Rowse, 43 Mo. 479, 782
v. St. Louis, 107 Mo. 198, 1086
Glasgow U. R. Co. v. Hunter, L. R. 2 H. L. Sc. 78, 996
Glasier v. Rolls, 60 L. T. N. S. 59, 13
Glass v. Fritz, 148 Pa. St. 324, 1057f
v. Goldsmith, 22 Wis. 488, 1420
v. Hope, 16 Grant (Upper Can.), Ch. 420, 154
v. Memphis, &c., R. Co., 94 Ala. 581, 1153, 1248, 1257, 1793
Glasscock v. Chicago, &c., R. Co., 87 Mo. App. 114, 1746, 1755
Glassey v. Hestonville, &c., R. Co., 57 Pa. St. 172, 1262
Glavin v. Rhode Island Hospital, 12 R. I. 411, 1388
Gleadell v. Thomson, 56 N. Y. 194, 1527, 1533, 1558, 1709
Gleason v. Detroit, &c., R. Co., 73 Fed. 647, 1282
v. Goodrich Trans. Co., 32 Wis. 85, 1409, 1501, 1647, 1649a, 1654
v. New York, &c., R. Co., 159 Mass. 68, 1345
Gleaves v. Brick Church Turn. Co., 1 Sneed (Tenn.), 491, 17, 102
Gleeson v. Virginia, &c., R. Co., 140 U. S. 435, 1269, 1455, 1488, 1578a, 1584, 1634, 1644, 1843
v. Virginia, &c., R. Co., 5 Mackey (D. C.), 356, 1455, 1457a
Glencoe v. People, 78 Ill. 382, 643
Glendarrock, The, L. R. (1894) P. 226, 1516
Glenister v. Great Western, &c., R. Co., 29 L. T. N. S. 423, 1627
Glenn v. Busey, 5 Mackey (D. C.), 233, 568
v. Clabaugh, 65 Md. 65, 599
v. Columbia, &c., R. Co., 21 S. Car. 466, 1689f
v. Howard, 81 Ga. 383, 146
v. Hunt, 120 Mo. 330, 178
v. Lake Erie, &c., R. Co., 165 Ind. 659, 1592
v. Lake Erie, &c., R. Co., 73 N. E. 861, 1592
v. Liggett, 135 U. S. 533, 180
v. Philadelphia, &c., Co., 206 Pa. St. 135, 1808
v. Sample, 80 Ala. 159, 146
v. Saxton, 68 Cal. 353, 146
v. Southern Express Co., 86 Tenn. 594, 1512, 1514
v. Williams, 60 Md. 93, 182
v. Wray, 126 N. Car. 730, 913
Glens Falls, &c., Co. v. White, 18 Hun, 214, 263
Glenville v. St. Louis, &c., R. Co., 51 Mo. App. 629, 1689h
Glick v. Baltimore, &c., R. Co., 21 D. C. 363, 1076
Glidden v. Lucas, 7 Cal. 26, 1428
Glines v. Supreme S. O. of I. H., 20 N. Y. Supp. 275, 30
Globe Accident Ins. Co. v. Reid, 19 Ind. App. 203, 621a
Globe Pub. Co. v. State Bank (Neb.), 10 Lewis Am. R. R. & Corp. Rep. 589, 188
v. State Bank, 41 Neb. 175, 190
Globe Works v. Wright, 106 Mass. 207, 285
Gloninger v. Pittsburgh R. Co., 139 Pa. St. 13, 340, 342, 480, 490
Gloucester Ferry Co. v. Pennsylvania, 114 U. S. 196, 31, 689, 755, 758, 765, 1057c, 1358e, 1673
Gloucester Water Co. v. Gloucester, 179 Mass. 365, 1684b
Glover, The, 1 Brown Adm. 166, 1522
Glover v. Charleston, &c., R. Co., 57 S. Car. 228, 1774
v. Givardean, &c., R. Co., 95 Mo. App. 369, 1570
Glovinsky v. Cunard, &c., Co., 24 N. Y. Supp. 136, 1647
Gluck v. Baltimore, 81 Md. 315, 1003
Glymont Imp. Co. v. Toler, 80 Md. 278, 17
Glyn, &c., Co. v. East & West, &c., Co., L. R. 7 App. Cas. 591, 1430
Goble v. Gale, 7 Blackf. (Ind.) 218, 1075
Gobson v. Erie, &c., R. Co., 63 N. Y. 449, 1271
Godbold v. Branch Bank, &c., 11 Ala. 191, 280
Godcharles v. Wigeman, 113 Pa. St. 431, 665
Goddard v. Chicago, &c., R. Co., 54 Wis. 548, 1200
v. Chicago, &c., R. Co., 104 Ill. App. 526, 955, 1096be

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Goddard v. Chicago, &c., R. Co., 202 Ill. 362, 1096b
v. Ensler, 222 Ill. 462, 1378a
v. Grand Trunk, &c., R. Co., 57 Me. 202, 1096dc, 1589, 1638, 1639, 1802
v. McIntosh, 161 Mass. 253, 1345
v. Merchants' Exchange, 9 Mo. App. 290, 193
v. Stockman, 74 Ind. 400, 844, 858
Godfrey v. Alton, 12 Ill. 29, 947
v. Ohio, &c., R. Co., 116 Ind. 30, 819, 587
v. St. Louis Transit Co., 107 Mo. App. 193, 1315g
Godshaw v. J. N. Struck & Bro., 109 Ky. 285, 222
Godwin v. Wilmington, &c., R. Co., 104 N. Car. 146, 1218
Goehrend v. Pere Marquette R. Co., 109 N. W. 849, 1445
Goetz v. Bank of Kansas City, 119 U. S. 551, 1429a
Goff v. Chippewa, &c., R. Co., 86 Wis. 237, 1314
v. Great Northern, &c., R. Co., 30 L. J. Q. B. 148, 214, 303
v. Great Northern, &c., Co., 3 El. & El. 672, 204, 1638
v. Norfolk, &c., R. Co., 36 Fed. R. 299, 1288, 1371
v. Old Colony R. Co., Sixth Dist. Ct. of Rhode Island, Jan.'y 19, 1893, 1567
v. Toledo, &c., Co., 28 Ill. App. 529, 213, 302
v. Winchester College, 6 Bush (Ky.), 443, 102
Goforth v. Rutherford Ry. Const. Co., 96 N. C. 535, 860, 865
Gogebic, &c., Co. v. Iron Chief, &c., Co., 78 Wis. 427, 91, 110
Goggin v. Kansas Pac. R. Co., 12 Kan. 416, 1512
Goins v. Chicago, &c., R. Co., 37 Mo. App. 221, 1283
v. Western R. Co., 68 Ga. 190, 1594
Gold v. Clyne, 58 Hun (N. Y.), 419, 612
v. Housatonic R. Co., 1 Gray (Mass.), 424, 624
v. Philadelphia, 115 Pa. St. 184, 631
v. Pittsburgh, &c., R. Co., 153 Ind. 232, 966
v. Vermont Cent. R. Co., 19 Vt. 478, 1012, 1053
Gold Co., In re, L. R. 11 Ch. Div. 701, 89
Gold, &c., Water Co. v. Keyes, 96 U. S. 199, 652
Gold Mining Co. v. Nat. Bank, 96 U. S. 640, 375, 381
Goldberg v. Ahnapee R. Co., 105 Wis. 1, 1651
Golden v. Newbrand, 52 Iowa, 59, 213, 1265
v. Pennsylvania, &c., R. Co., 187 Penn. 635, 1179h
Golden, &c., R. Co. v. Haggart, 9 Colo. 346, 1028
Golder v. Lund, 50 Neb. 867, 1820
Goldey v. Morning News, 156 U. S. 518, 621, 654, 1371
v. Morning News, 42 Fed. R. 112, 621
Goldman v. Brinton, 90 Md. 259, 1075
Goldmann v. Milwaukee, &c., Co., 123 Wis. 168, 1096cp
Goldrick v. Union R. Co., 20 R. I. 128, 1096cb, 1689c
Goldsboro v. Central R. Co., 60 N. J. L. 49, 1783
Goldsmith v. Swift, 25 Hun, 201, 307
Goldstein v. Peoples R. Co., 60 Atl. 975, 1261
Goldstrom v. Interborough, &c., Transit Co., 100 N. Y. S. 911, 1096l
Goldthorpe v. Hardman, 13 Mees. & W. 377, 1263
Goldthwait v. Haverhill, &c., R. Co., 160 Mass. 554, 1345
Goldworthy v. Chicago, &c., R. Co., 38 Fed. R. 769, 651
Gollnvaux v. Burlington, &c., R. Co., 125 Ia. 652, 1155, 1160, 1701
Goltz v. Milwaukee, &c., Ry. Co., 76 Wis. 136, 1296, 1312
Gonthier v. New Orleans, &c., R. Co., 28 La. Ann. 67, 1655
Gonzales v. New York, &c., R. Co., 39 How. Pr. 407, 1583, 1586
v. Sullivan, 16 Fla. 791, 525
Good v. Burk, 77 N. E. 1080, 858
v. Chicago, &c., R. Co., 92 Iowa, 371, 1527
v. Coombs, 28 Tex. 34, 934
v. Galveston, &c., R. Co. (Tex.) 11 S. W. 854, 1512
Goodale v. Sowell, 62 S. Car. 516, 1008
Goodall v. Crofton, 33 Ohio St. 271, 631
v. New Eng. Mut. Fire Ins. Co., 25 N. H. 169, 226
Gooday v. Colchester & S. W. R. Co., 15 Eng. L. & Eq. 596, 353
v. Colchester, &c., R. Co., 17 Beav. 132, 422
Goodell v. Verdugo, &c., Co., 138 Cal. 308, 159
Goodes v. Boston, &c., R. Co., 162 Mass. 287, 1258, 1269, 1296
Goodhar v. Wabash, &c., R. Co., 53 Mo. App. 434, 1464, 1651
Goodhart v. Pennsylvania R. Co., 177 Pa. St. 1, 1808, 1809, 1810, 1815, 1820
Goodin v. Cincinnati, &c., Co., 18 Ohio St. 169, 274, 994, 1048
v. Evans, 18 Ohio St. 150, 252
v. Southern R. Co., 125 Ga. 630, 1451
Goodlander, &c., Co. v. Standard Oil Co., 63 Fed. R. 400, 1488
Goodlet v. Louisville, &c., R. Co., 122 U. S. 391, 26, 29, 1163, 1702
Goodloe v. Godley, 138 S. & M. (Miss.), 233, 226, 268
v. Memphis, &c., R. Co., 107 Ala. 233, 1096cx, 1638
v. Metropolitan, &c., R. Co., 120 Mo. App. 194, 1096bt
Goodman v. Delaware, &c., R. Co., 167 Pa. St. 332, 1325
v. Louisville, &c., R. Co., 116 Ky. 900, 1257
v. Navigation Co., 22 Ore. 14, 1481
v. Oregon R. & N. Co., 22 Ore. 14, 1420, 1450, 1492
v. Whitcomb, 1 J. & W. 569, 558
Goodrich v. Brown, 30 Iowa, 291, 1698
v. Burlington, &c., R. Co., 103 Ia. 412, 1252, 1258
v. Chippewa, &c., R. Co., 108 Wis. 329, 1689e
v. Hunton, 29 La. Ann. 372, 646
v. Kansas City R. Co., 152 Mo. 222, 1185

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Goodrich v. New York, &c., R. Co., 116 N. Y. 398, 1279
v. Norris, Abbott Admr., 196, 1420
v. Reynolds, 31 Ill. 490, 110, 342
v. Thompson, 44 N. Y. 324, 1440, 1515
Goodridge v. Union Pac. R. Co., 35 Fed. R. 35, 1219
v. Union Pac. R. Co., 37 Fed. R. 182, 1565
v. Washington, &c., Co., 160 Mass. 234, 1296
Goodspeed v. Ithaca St. R. Co., 184 N. Y. 351, 709
Goodtitle v. Alker, 1 Burr. 133, 1085
Goodwin v. Boston, &c., R. Co., 84 Me. 203, 1628c, 1630
v. Claytor, 137 N. C. 224, 624
v. Claytor, 67 L. R. A. 209, 627
v. Gibbs, 70 Me. 243, 1025
v. Hardy, 57 Me. 143, 174, 304, 305
v. McGehee, 15 Ala. 232, 176
v. New York, &c., R. Co., 124 Fed. 358, 649
v. Nickerson, 17 R. I. 478, 1368
v. Ottawa, &c., Ry. Co., 13 Upper Canada (C. P.), 254, 98
v. Sims, 86 Ala. 102, 865
v. Union Screw Co., 34 N. H. 378, 210, 349
v. Wethersfield, 43 Conn. 437, 1034
Goodyear Rubber Co. v. Goodyear Rubber Man. Co., 8 Am. & Eng. Corp. Cases, 317, 36
Googins v. Boston, &c., R. Co., 155 Mass. 505, 964
Goold v. Chapin, 20 N. Y. 259, 1443, 1449
Goovin v. Allegheny Trac. Co., 179 Pa. St. 327, 1096cw
Gora v. Southern R. Co., 67 S. C. 347, 1154, 1166
Goransson v. Riter, &c., Co., 186 Mo. 300, 1278a
Gordan v. Buchanan, 5 Yerg. (Tenn.) 79, 1481
Gorder v. Plattsmouth Canning Co., 36 Neb. 548, 491
Gordon v. Boston, &c., R. Co., 58 N. H. 296, 1177
v. Chicago, &c., R. Co., 129 Ia. 747, 1766
v. Cornes, 47 N. Y. 608, 824
v. Grand Rapids, &c., R. Co., 103 Mich. 379, 1227, 1239
v. Great Northern R. Co., 8 Q. B. Div. 44, 1552
v. Great Western R. Co., 25 U. C. C. P. 488, 1446
v. Hutchinson, 1 W. & S. 285, 1465
v. Jennings, L. R. 9 Q. B. Div. 45, 186
v. Louisville, &c., R. Co., 19 Ky. L. 1959, 1689g
v. Longest, 16 Pet. (U. S.) 97, 648, 654
v. Manchester, &c., R. Co., 52 N. H. 596, 1281, 1576, 1593, 1627a
v. Preston, 1 Watts, 385, 204, 262
v. Richmond, &c., R. R. Co., 78 Va. 501, 82, 83, 85, 310, 313, 315, 320
v. Swan, 43 Cal. 564, 237
v. United States, 117 U. S. 697, 675
v. West, &c., R. Co., 175 Mass. 181, 1096cs
v. Winchester, 12 Bush, 110, 669
Gordon Hardware Co. v. San Francisco, &c., R. Co., 86 Cal. 620, 1068
Gordy v. New York, &c., R. Co., 75 Md. 297, 1282
Gore v. Norwich, &c., Transp. Co., 2 Daly (N. Y.), 254, 1654
Gores v. Groff, 77 Wis. 174, 1309, 1702
Gorgas v. Philadelphia, &c., R. Co., 144 Pa. St. 1, 976, 1040
v. Philadelphia, &c., R. Co., 64 Atl. 680, 992
Gorham v. Gross, 125 Mass. 232, 1064
v. Kansas City, &c., R. Co., 113 Mo. 408, 1267, 1800
Gorham Mfg. Co. v. Fargo, 45 How. (N. Y.) Pr. 90, 1421
Gorham, &c., Co. v. New York, &c., R. Co., 27 R. I. 35, 1243
Gorman v. Minneapolis, &c., Co., 78 Iowa, 509, 218, 1267, 1312, 1378
v. Pacific, &c., R. Co., 26 Mo. 441, 668, 670b, 1180, 1181, 1182, 1209
v. Southern Pac. R. Co., 97 Cal. 1, 1594, 1823
Gorman's Admrs. v. Louisville R. Co., 24 Ky. Law, 1938, 1096cl
Gormley v. Clark, 134 U. S. 338, 479
v. Ohio, &c., R. Co., 72 Ind. 31, 1332
v. Sanford, 52 Ill. 158, 977
Gorris v. Scott, L. R. 9 Exch. 125, 1158
Gorton v. Erie R. Co., 45 N. Y. 660, 1155, 1158, 1170
Gosa v. Southern R. Co., 67 S. Car. 347, 1815
Goshen v. Alford, 154 Ind. 58, 1825, 1828
v. Stonington, 4 Conn. 209, 666
Goshen Township v. Shoemaker, 12 Ohio St. 624, 903
Goshorn v. Ohio County, 1 W. Va. 308, 26
Gosling v. Birnie, 7 Bing. 339, 1537
v. Higgins, 1 Camp. 451, 1455, 1526
v. Veley, 12 Q. B. 328, 193
Gosman v. State, 106 Ind. 203, 680
Goss v. Northern Pac. R. Co., 87 Pac. 149, 1644
Gossler v. Schepeler, 5 Daly (N. Y.), 476, 1540
Goszler v. Corporation of Georgetown, 6 Wheat. 593, 783
Gott v. Dinsmore, 111 Mass. 45, 1502
v. Gandy, 23 L. J. Q. B. 1 1494
Gottlieb v. Metropolitan St. R. Co., 161 Mo. 189, 772a
v. New York, &c., R. Co., 100 N. Y. 462, 1279, 1323
Gottschalk v. Chicago, &c., R. Co., 14 Neb. 550, 978
v. Lincoln, &c., R. Co., 14 Neb. 389, 461, 1025
Gould v. Bangor, &c., R. Co., 82 Me. 122, 1186, 1208
v. Boston El. R. Co., 77 N. E. 712, 1096cu
v. Cayuga, &c., Bank, 80 N. Y. 75, 1377
v. Chicago, &c., R. Co., 18 Fed. R. 155, 1637
v. Great Northern R. Co., 63 Minn. 37, 1181
v. Head, 7 R. R. & Corp. L. J. 402, 92
v. Head, 41 Fed. R. 240, 92, 98
v. Hill, 2 Hill (N. Y.), 623, 1496

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gould v. Hudson River R. Co., 6 N. Y. 522, 976, 977
v. Little Rock, &c., Ry. Co., 52 Fed. R. 680, 603, 604
v. Newburyport R. Co., 14 Gray (Mass.), 472, 626
v. Oneonta, 71 N. Y. 298, 144
v. Paris, 68 Tex. 511, 890
v. Sterling, 23 N. Y. 456, 897
Goundie v. Northampton Water Co., 7 Pa. St. 233, 392, 397
Gover's Case, L. R. 1 Ch. Div. 182, 12
Governeur v. Robertson, 11 Wheat. 332, 397
Government St. R. Co. v. Hanlon, 53 Ala. 70, 1094, 1096ag, 1096cb
Governor v. Raleigh, &c., R. Co., 3 Ired. Eq. (N. Car.) 471, 621
Governor, &c., v. Meredith, 4 Term. R. 794, 1223
Governors, &c., v. Charing Cross, &c., R. Co., 30 L. J. R. (Ch.) 395, 924
Govin v. Chicago, 132 Fed. 848, 65, 75, 1096l, 1096n
Gowdy v. Lyon, 9 B. Mon. (Ky.) 112, 1420
Gowan v. Harley, 56 Fed. R. 973, 1295
Gowen's Appeal, 10 Week. N. Cas. 85, 161
Gowen v. Penobscot R. Co., 44 Me. 140, 980a, 1048
Gowen Marble Co. v. Tarrant, 73 Ill. 608, 349
Gower's Case, L. R. 6 Eq. 77, 151
Grace v. Adams, 100 Mass. 505, 1417, 1498, 1500, 1501, 1502
v. Noel Milling Co. (Tenn. Ch.), 63 S. W. 246, 531a
v. St. Louis, &c., R. Co., 156 Mo. 295, 1831, 1841
Gracie v. Palmer, 8 Wheat. (U. S.) 605, 1571
Gracy v. Atlantic Coast Line R. Co., 42 So. 903, 1228
Grady's Case, 1 DeG., J. & S. 488, 95
Grady v. St. Louis Transit Co., 102 Mo. App. 212, 1808
v. Southern R. Co., 92 Fed. 491, 1280
Graeber v. Derwin, 43 Cal. 495, 1811
Graeff v. Philadelphia, &c., R. Co., 161 Pa. St. 230, 1096cx, 1639
Graf v. Chicago, &c., R. Co., 94 Mich. 579, 1168
v. West Jersey St. R. Co., 62 Atl. 333, 1628b, 1644
Graff v. Bloomer, 9 Pa. St. 114, 1455
v. Callahan, 158 Pa. St. 389, 229
v. Mayor, &c., of Baltimore, 10 Md. 544, 1031
v. Pittsburgh, &c., R. R. Co., 31 Pa. St. 489, 131, 132, 171
Graffam v. Boston, &c., R. Co., 67 Me. 234, 1656
v. Burgess, 117 U. S. 180, 529
Graft v. Baltimore, &c., R. Co., 8 Atl. R. 206, 1384
Grafton, The, 1 Blatchf. (U. S. C. C.) 173, 1520
v. Baltimore, &c., R. Co., 21 Fed. R. 309, 1048, 1085
v. Buchannon, &c., R. Co., 56 W. Va. 458, 1049a
v. Hinkley, 111 Wis. 46, 1060a
v. Moir, 130 N. Y. 465, 938
Grafton, &c., R. Co. v. Foreman, 24 W. Va. 662, 988, 1018
Graham v. Birkenhead, &c., R. Co., 6 Eng. L. & Eq. 132, 376, 529
Graham v. Boston, &c., R. Co., 118 U. S. 161, 26, 28, 164, 167, 339, 529, 610
v. Boston, &c., R. Co., 156 Mass. 4, 1347
v. Boston, &c., R. Co., 14 Fed. R. 753, 28, 339, 618
v. Chapman, 58 Hun, 602, 577
v. Chicago, &c., R. Co., 53 Wis. 473, 1564
v. Chicago, &c., R. Co., 62 Fed. R. 896, 1303
v. Chicago, &c., R. Co., 77 N. E. 57, 1056, 1057g
v. Chicago, &c., R. Co. (Ia.) 107 N. W. 595, 1096bt
v. Columbus, &c., R. Co., 27 Ind. 260, 1050, 1055
v. Commercial, &c., Co., 11 Johns. 352, 1483
v. Connersville, &c., R. Co., 36 Ind. 463, 393, 960, 998
v. Davis, 4 Ohio St. 362, 1457, 1490, 1497, 1515, 1516
v. Delaware, &c., Canal Co., 46 Hun, 386 1192
v. Folsom, 200 U. S. 248, 918a
v. Great Western R. Co., 41 U. C. Q. B. 324, 1178, 1635
v. LaCrosse, &c., R. Co., 102 U. S. 148, 21, 110, 169, 600
v. McNeill, 20 Wash. 466, 1630a
v. Macon, &c., R. Co., 120 Ga. 757, 356, 374
v. Manhattan R. Co., 149 N. Y. 336, 1630a
v. Minneapolis, &c., R. Co., 95 Minn. 49, 1315e, 1697
v. Mt. Sterling Coal Co., 14 Bush, 425, 737, 1066, 1074
v. Pacific Railroad Co., 66 Mo. 536, 1320, 1608, 1637
v. Toronto, &c., Co., 23 U. Can. (C. P.) 541, 221, 1580, 1632
v. Van Dieman's Land Co., 1 Hurlst. & N. 541, 153
Graham Button Co. v. Spielman, 50 N. J. Eq. 120, 184, 537
Grain Rates of Chicago, &c., R., 7 I. C. C. 33, 1662c
Grain Shipper's Ass'n v. Illinois Cent. R. Co., 8 I. C. C. 158, 1678a, 1684b
Gram v. Northern Pacific R. Co., 1 N. Dak. 252, 973, 1226, 1231, 1238
Granby Mining Co. v. Richards, 95 Mo. 106, 18, 190
Grand v. Livingston, 38 N. Y. S. 490, 1494
v. Michigan, &c., R. Co., 83 Mich. 564, 1272a, 1314, 1315
Grandin v. Eumons, 10 N. Dak. 223, 530
v. LeBar, 3 N. Dak. 447, 558, 799
v. Southern Pac. Co., 85 Pac. 357, 1312
Grand Chute v. Winegar, 15 Wall. (U. S.) 355, 898
Grand County Commissioners v. King, 67 Fed. R. 202, 918
Grand Gulf Bank v. Archer, 16 Miss. 151, 21
Grand Gulf, &c., Co. v. Buck, 53 Miss. 246, 746
Grand Junction Ry. Co. v. Bickford, 23 Grant's Ch. (Ont.) 302, 488, 490

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Grand Junction Ry. Co. v. County Comrs., 14 Gray (Mass.), 553, 926, 1026, 1029
Grand Jury, In re, Charge to, 66 Fed. Rep. 146, 1612
Grand Jury, In re, 62 Fed. R. 834, 727, 1688
Grand Rapids v. Grand Rapids, &c., R. Co., 58 Mich. 641, 1100
v. Grand Rapids, &c., R. Co., 66 Mich. 42, 1103
v. Grand Rapids Hydraulic Co., 66 Mich. 606, 60
Grand Rapids Bridge Co. v. Prange, 35 Mich. 400, 68, 72, 613, 1077
Grand Rapids Elec. R. Co. v. Grand Rapids, 84 Mich. 257, 1096p
Grand Rapids, &c., Bank v. Warren, 52 Mich. 557, 154, 180
Grand Rapids, &c., R. Co. v. Alley, 34 Mich. 16, 1025
v. Auditor General, 144 Mich. 77, 752
v. Boyd, 65 Ind. 526, 1585
v. Diether, 10 Ind. App. 206, 1449, 1451, 1558
v. Ellison, 117 Ind. 234, 1132, 1589, 1635, 1782
v. Grand Rapids, &c., R. Co., 35 Mich. 265, 966, 967, 974, 1049, 1116, 1121, 1126
v. Grand Rapids, 137 Mich. 587, 738a
v. Heisel, 47 Mich. 393, 995, 1048, 1049
v. Heisel, 38 Mich. 62, 981, 1087
v. Horn, 41 Ind. 479, 987, 995
v. Hunt, 78 N. E. 358, 1122a
v. Huntley, 38 Mich. 537, 1274, 1278, 1587, 1634, 1788
v. Jones, 81 Ind. 523, 1198
v. Judson, 34 Mich. 506, 1214
v. Osborn, 193 U. S. 17, 525a, 531, 689
v. Pettit, 27 Ind. App. 120, 1356
v. Prange, 35 Mich. 400, 1096l
v. Railroad Commissioners, 78 N. E. 981, 1122a
v. Runnels, 77 Mich. 104, 660
v. Sanders, 17 Hun (N. Y.), 552, 484, 485
v. Sanders, 54 How. Pr. (N. Y.) 214, 484, 486
v. Van Driele, 24 Mich. 409, 1029
v. Van Dusen, 29 Mich. 431, 1062
v. Welden, 70 Mich. 390, 994, 996, 1027, 1035a
v. West Side Street R. Co., 48 Mich. 433, 968, 1096ao
Grand Rapids, &c., Co. v. Chesebro, 74 Mich. 466, 1010, 1040
v. Jarvis, 30 Mich. 308, 977
v. Martin, 41 Mich. 667, 1249, 1578
Grand River Bridge Co. v. Rollins, 13 Colo. 4, 373
Grand Surrey Canal v. Hall, 1 M. & Gr. 392, 425
Grand Tower, &c., R. Co. v. Walton, 150 Ill. 428, 422, 935
Grand Tower, &c., Co. v. Ullman, 89 Ill. 244, 359, 430, 1409
Grand Trunk R. Co., In re, 2 Interst. Com. R. 490, 1686
Grand Trunk R. Co. v. Anderson, 28 Can. Sup. Ct. 541, 1249
v. Baird, 94 Fed. 946, 1298a
v. Cobleigh, 78 Fed. 784, 1166, 1170
Grand Trunk R. Co. v. Cummings, 106 U. S. 700, 1306, 1333b
v. Ives, 144 U. S. 408, 1114, 1155, 1156, 1157, 1171, 1175, 1313, 1702
v. Richardson, 91 U. S. 454, 415, 1235, 1238, 1243, 1243a, 1493
Grand Trunk, &c., R. Co. v. Brodie, 9 Hare, 823, 13
v. Central Vermont R. Co., 88 Fed. 622, 508
v. Chicago, &c., R. Co., 141 Fed. 785, 450, 914
v. Eastern Township Bank, 10 Lower Canada Jur. 11, 389
v. McMillan, 16 Can. Sup. R. 543, 1435, 1438, 1441
v. Rosenberger, 9 Can. S. C. 311, 723, 1264
v. Sibbald, 20 Can. S. C. R. 259, 1176
v. Tennant, 66 Fed. R. 922, 1290
v. Twitchell, 59 Fed. R. 727, 647, 650, 651
Grand, &c., Co. v. Ride, &c., Co., 60 Kan. 196, 602
Grandjean v. San Antonio, 38 S. W. 837, 1025
Granger v. Bassett, 98 Mass. 462, 174, 304, 307
v. Grubb, 7 Phila. (Pa.) 350, 164
v. Turner, 61 Ga. 561, 131
Grangers' Life, &c., Insurance Co. v. Kamper, 73 Ala. 325, 87, 89, 155
Grangers', &c., Co. v. Vinson, 6 Ore. 172, 103
Granier v. Louisiana, &c., R. Co., 42 La. Ann. 880, 1596, 1599
Grannahan v. Hannibal, &c., R. Co., 30 Mo. 546, 1065
Granniss v. Cherokee Township of York County, 47 Fed. R. 427, 843, 856
Grant v. Allen, 41 Conn. 156, 1057f
v. Attrill, 11 Fed. R. 469, 93
v. East & West R. R. Co., 54 Fed. R. 569, 110, 175, 518
v. Iowa, &c., R. Co., 54 Iowa, 673, 779
v. Norway, 2 Eng. L. & Eq. Rep. 337, 303
v. Norway, 10 C. B. 665, 1405, 1419, 1481
v. Omaha, &c., R. Co., 94 Mo. App. 312, 1227, 1247c
v. Phoenix Insurance Co., 106 U. S. 429, 518
v. Raleigh, &c., R. Co., 108 N. Car. 462, 1578
v. Savannah, &c., R. Co., 51 Ga. 348, 1058, 1059
v. Shaw, 16 Mass. 341, 1538
v. Strong, 18 Wall. (U. S.) 623, 1075
v. Union Pacific R. Co., 45 Fed. 673, 1272, 1289, 1812
v. Wood, 21 N. J. L. 292, 1709
Grantham v. Lucas, 15 W. Va. 425, 552
Grape Creek Coal Co. v. Farmers' L. & T. Co., 63 Fed. R. 891, 507, 515, 530
Grass v. New York, &c., R. Co., 99 Mass. 220, 1413
Gratiot v. Missouri Pac. R. Co., 116 Mo. 450, 668, 1702

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gratiot Street Warehouse Co. v. Missouri, &c., R. Co., 102 S. W. 11, 1558
v. St. Louis, &c., R. Co., 221 Ill. 418, 1521, 1713
Gratz v. Highland Scenic R. Co., 165 Mo. 211, 416, 939, 940, 942
v. Redd, 4 B. Mon. (Ky.) 178, 150, 318
Gravelle v. Minneapolis, &c., R. Co., 10 Fed. R. 711, 1288, 1292
Gravely v. Southern, &c., Co., 47 La. Ann. 389, 621
Graves v. Bank, 10 Bush, 23, 282
v. Battle Creek, 95 Mich. 266, 1699
v. Corbin, 132 U. S. 571, 650, 655
v. Express Co., 176 Mass. 280, 1510
v. Fitchburg R. Co., 57 N. Y. S. 636, 1652
v. Hartford, &c., R. Co., 38 Conn. 143, 1464
v. Harwood, 9 Barb. (N. Y.) 477, 1420
v. Lebanon Nat. Bank, 10 Bush (Ky.), 23, 232
v. Lake Shore, &c., R. Co., 137 Mass. 33, 1454, 1510
v. Moore Co. Com'rs, 135 N. Car. 49, 835, 872
v. Newark, &c., R. Co., 6 N. J. L. 307, 1096da
v. Northern, &c., R. Co., 5 Mont. 556, 1183, 1217
Graville v. Manhattan R. Co., 105 N. Y. 525, 1630
v. New York, &c., Co., 34 Hun, 224, 266
Gray v. Bennett, 3 Metc. (Mass.) 522, 715
v. Boston, &c., R. Co., 168 Mass. 20, 1638
v. Building Trades Council, 91 Minn. 171, 633
v. Burlington, &c., R. Co., 37 Iowa, 119, 942, 1143, 1144
v. Case, 51 N. J. Eq. 426, 1003b
v. Central R. Co., 11 Hun (N. Y.), 70, 1058, 1059
v. Chaplin, 2 Russ. 126, 550
v. Chicago, &c., R. Co., 189 Ill. 400, 362, 416, 939, 943
v. Cincinnati, &c., R. R. Co., 11 Fed. R. 683, 41, 1576
v. Coffin, 9 Cush. (Mass.) 192, 183
v. Jackson, 51 N. H. 9, 1339, 1433, 1435, 1443, 1445, 1449, 1506
v. Liverpool, &c., R. Co., 9 Beav. 391, 394
v. Lynch, 8 Gill (Md.), 403, 94
v. McWilliams, 98 Cal. 157, 1057f
v. Manhattan, &c., R. Co., 128 N. Y. 499, 628
v. Missouri River Packet Co., 64 Mo. 47, 1734
v. Monongahela, &c., Co., 2 Watts & S. Pa. 156, 140
v. Northeastern R. Co., 48 L. T. Rep. 904, 1153
v. Philadelphia, &c., R. Co., 22 Am. & Eng. R. Cas. 351. 1178
v. Philadelphia, &c., R. Co., 24 Fed. 168, 1320, 1333b
v. Pennsylvania Co., 172 Pa. St. 383, 1167
v. Portland Bank, 3 Mass. 364, 87, 193, 320
Gray v. Pullen, 34 L. J. Q. B. 265, 1063
v. Rochester, &c., R. Co., 61 Hun, 212, 1636
v. St. Louis, &c., R. Co., 81 Mo. 126, 956, 1014, 1033
v. St. Paul City R. Co., 87 Minn. 280, 1096cl
v. St. Paul, &c., R. Co., 13 Minn. 315, 1049d
v. Second Ave. R. Co., 65 N. Y. 561, 1096cb, 1096cn
v. Stone, 69 L. T. R. 282, 101
v. Wabash R. Co., 119 Mo. App. 144, 1443
v. Waldron, 101 Mich. 612, 283
v. Wain, 2 Serg. & R. (Pa.) 229, 1562
v. Washington, &c., Co., 30 Wash. 665, 1096cc
Graydon v. Church, 7 Mich. 36, 570
Grayson County Nat. Bank v. Nashville, &c., R. Co., 79 S. W. 1094, 1429a, 1741
Greaney v. Long Island, &c., R. Co., 101 N. Y. 419, 1166a
Great Central Road Co. v. Gulf, Colorado & Santa Fe R. Co., 26 Am. & Eng. Ry. Cases, 114, 66
Great Eastern, &c., Co. v. Hackney District, L. R. 8 App. Cas. 687, 786
Great Eastern, &c., R. Co v. Turner, L. R. 8 Ch. App. 149, 95, 369
Great Falls Ins. Co. v. Harvey, 45 N. H. 292, 193
Great Falls Manufacturing Co. v. Garland, 25 Fed. R. 521, 980
Great Falls Power Co. v. Great Falls, &c., R. Co., 104 Va. 416, 960
Great Falls, &c., R. Co. v. Copp, 38 N. H. 124, 147
Great Falls, &c., Co. v. Atty.-General Garland, 124 U. S. 581, 980. 1008
Great Luxembourg, &c., R. Co. v. Magnay, 25 Beav. 586, 274, 275
Great North, &c., R. Co. v. Biddulph, 7 M. & W. 243, 134
v. Clarence R. Co., 1 Collier, 507, 636
Great Northern R. Co. v. Coates, 115 Fed. 452, 1245a, 1254a, 1701
v. Swaffield, 43 L. J. Exch. 89, 1566
Great Northern, &c., R. Co. v. Eastern Counties R. Co., 12 Eng. L. & Eq. 224, 385, 430, 473
v. Eastern, &c., Ry. Co., 21 L. J. Ch. 837, 95, 493, 519
v. Kennedy, 4 Exch. 417, 150
v. Manchester R. Co., 5 DeG. & S. 138, 635
v. Manchester R. Co., 10 Eng. Law & Eq. 11, 356
v. Sheperd, 14 Eng. L. & E. R. 367, 1421
v. Shepherd, 8 Exch. 30, 1466, 1649
Great Northern, &c., Co., Re, 62 L. T. R. 231, 267
Gt. Southern, &c., Co. v. Jones, 177 U. S. 449, 621a
Great Western, &c., Co., In re, 56 L. J. Ch. 3, 85
Great Western Mining Co. v. Harris, 128 Fed. 321, 313, 315
Gt. Western Min., &c., Co. v. Harris, 198 U. S. 561, 570
Great Western R. Co. v. Burns, 60 Ill. 284, 1391
v. Haworth, 39 Ill. 346, 1244

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Great Western R. Co. v. McComas, 33 Ill. 186, 1413a
v. McDonald, 18 Ill. 172, 1709, 1722
v. Reg. 1 El. & Bl. 874, 1056c
Great Western Tel. Co. v. Gray, 122 Ill. 630, 90
v. Haight, 49 Ill. App. 633, 126, 176
v. Loewenthal, 154 Ill. 261, 114
v. Purdy, 161 U. S. 329, 146
Great Western, &c., R. Co. v. Bagge, &c., Co., L. R. 15 Q. B. Div. 625, 1559
v. Bishop, 50 Ga. 465, 1376
v. Blake, 7 H. & N. 987, 476, 1596
v. Braid, 1 Moore P. C. (N. S.) 101, 1584
v. Bunch, L. R. 13 App. Cas. 31, 1653, 1654
v. Burnham, 79 Wis. 47, 139
v. Burns, 60 Ill. 284, 1466, 1468, 1487
v. Central Wales R. Co., L. R. 10 Q. B. Div. 231, 4
v. Crouch, 3 Hurl. & N. 183, 1435, 1528, 1530
v. Geddis, 33 Ill. 304, 1206
v. Goodman, 11 Eng. L. & Eq. 546, 198
v. Hawkins, 18 Mich. 427, 1474, 1475, 1487, 1548, 1550, 1714
v. Hawkins, 30 Ind. App. 557, 1030a
v. Haworth, 39 Ill. 346, 1225, 1238
v. Helm, 27 Ill. 198, 1185
v. May, L. R. 7 H. L. 283, 629
v. Miller, 19 Mich. 305, 1637, 1638
v. Morthland, 30 Ill. 451, 1201
v. Railroad Commissioners, L. R. 7 Q. B. D. 182, 706
v. Shepherd, 8 Exch. 30, 1654
v. Sutton, L. R. 4 H. L. 226, 1391, 1467, 1676, 1678, 1680
v. Wheeler, 20 Mich. 419, 226, 303
Great Western, &c., Co., Re, 56 L. J. Ch. 3, 85
Greathouse v. Martin, 94 S. W. 322, 233
Greaves v. Gouge, 52 How. Pr. 58, 165
Greeley v. Foster, 32 Colo. 292, 1767
v. Hamman, 12 Colo. 94, 1698
v. Maine Central R. Co., 53 Me. 200, 977, 1057f
v. Provident Sav. Bank, 103 Mo. 212, 559, 584
v. St. Paul, &c., R. Co., 33 Minn. 136, 1194, 1195, 1198
Greeley, &c., R. Co. v. Harris, 12 Colo. 226, 1071
v. Yount, 7 Colo. App. 189, 1036
Greely v. Smith, 3 Story (U. S.), 657, 62
Green v. Abletine, &c., Co., 96 Cal. 322, 154
v. Blodgett, 55 Ill. App. 556, 296
v. Boston, &c., R. Co., 128 Mass. 221, 1695, 1728, 1734
v. Brainerd, &c., R. Co., 85 Minn. 318, 1280, 1282, 1303, 1314
v. Bridgeton, 9 Cent. L. J. 206, 200
v. Brookins, 23 Mich. 48, 92
v. Canaan, 29 Conn. 157, 425
v. Canal Co., 38 Hun (N. Y.), 51, 1096ag
v. Chicago, 97 Ill. 370, 1038
v. Chicago, &c., R. Co., 27 Sup. Ct. 595, 621a
Green v. City, &c., R. Co., 78 Md. 294, 8, 1080, 1088, 1096c, 1096f
v. Clarke, 12 N. Y. 343, 1692
v. Coast Line R. Co., 97 Ga. 15, 467, 580
v. Cross, 79 Tex. 130, 1297
v. Dutchess, &c., R. Co., 58 N. Y. 152, 954a
v. Dyersburg, 2 Flip. (U. S.) 477, 851b
v. Fox, 7 Allen (Mass.), 85, 1075
v. Homelville, &c., R. Co., 24 App. Div. N. Y. 434, 1184
v. Indianapolis, &c., R. Co., 56 Mo. 556, 1718
v. London, &c., Co., 7 C. B. (N. S.) 290, 1265
v. Los Angeles, &c., R. Co., 143 Cal. 31, 1153, 1165, 1175, 1179b
v. Middleborough, &c., Co., Ky. 89 S. W. 228, 481
v. Miller, 6 Johns. (N. Y.) 38, 260
v. Milwaukee, &c., R. Co., 38 Iowa, 100, 1410, 1653
v. Milwaukee, &c., R. Co., 41 Iowa, 410, 1651
v. Missouri, &c., R. Co., 82 Mo. 653, 986, 1033, 1049
v. Missouri, &c., R. Co., 97 S. W. 646, 1629
v. Morris, &c., R. Co., 24 N. J. L. 486, 1145
v. Neal, 6 Peters, 289, 768
v. New York, &c., R. Co., 4 Daly (N. Y.), 553, 1655
v. New York, &c., R. Co., 12 Abb. Pr. N. S. (N. Y.) 473, 1658
v. Pacific Lumber Co., 130 Cal. 435, 1585, 1635, 1844
v. Pennsylvania R. Co., 36 Fed. R. 66, 1641
v. Samson, 41 Fla. 94, 1278a
v. Signa Iron Co., 76 Fed. 947, 155
v. South-Bound R. Co., 112 Ga. 849, 1000
v. Southern Cal. R. Co., 67 Pac. 4, 1378a
v. Southern Ex. Co., 45 Ga. 305, 1421
v. Southern Pac. R. Co., 122 Cal. 563, 1378a
v. Van Buskirk, 5 Wall. 307, 494
v. Van Buskirk, 7 Wall. 139, 31
v. Ward, 82 Va. 324, 782, 789
v. Weller, 32 Miss. 650, 263
v. Williams, 92 Tenn. 220, 1075
v. Winter, 1 Johns. Ch. (N. Y.) 60, 537
Green Bay, &c., R. Co. v. Union Steamboat Co., 107 U. S. 98, 38, 41, 340, 374, 435, 440, 481
Green Co. v. Blodgett, 159 Ill. 169, 345
Green County v. Conness, 109 U. S. 104, 329, 747, 819, 915
Green R. Co. v. Brinkman, 64 Md. 52, 1243a
Green, &c., Nav. Co. v. Chesapeake, &c., R. Co., 88 Ky. 1, 1057c
Green, &c., Co. v. Chicago, &c., R. Co., 130 Ia. 123, 1455, 1457a
Greenawalt v. Wilson, 52 Kan. 109, 564
Greenberg v. Western Ass'n, 140 Cal. 357, 1803
Greenbrier Industrial Exp. v. Ocheltree, 44 W. Va. 626, 111a
Greenbrier Lumber Co. v. Ward, 30 W. Va. 43, 52
v. Ward, 36 W. Va. 573, 54, 612

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Greene, In re, 52 Fed. R. 104, 159, 690, 1673
Greene v. Daniel, 102 U. S. 187, 487, 881, 918
v. Louisville, &c., R. Co. (Ky.) 84 S. W. 1154, 1096ce, 1096ch
v. Minneapolis, &c., R. Co., 31 Minn. 248, 1295, 1299
v. Mumford, 5 R. I. 472, 751
v. Smith, 17 R. I. 28, 307
v. West Cheshire, Lines, &c., L. R. 13 Eq. 44, 635, 668
v. Woodland Ave., &c., R. Co., 62 Ohio St. 67, 1096bl
Greenfield v. Chicago, &c., R. Co., 83 Ia. 270, 1224, 1245a
v. Railway Co., 133 Mich. 557, 202a, 1581, 1582, 1632, 1845
Greengard v. St. Paul, &c., R. Co., 72 Minn. 181, 1096cj
Greenleaf v. Board, 184 Ill. 226, 76, 741a, 743a
v. Dubuque, &c., R. Co., 33 Iowa, 52, 1295
v. Illinois, &c., R. Co., 29 Iowa, 14, 1163, 1313
v. Iowa Cent. R. Co., 29 Ia. 14, 1314
v. Norfolk, &c., R. Co., 91 N. C. 33, 270
Greenlee v. Railroad Co., 5 Lea (Tenn.), 418, 1376
v. Southern R. Co., 122 N. Car. 977, 1277, 1296b
Green Mount, &c., Co. v. Bulla, 45 Ind. 1, 92, 98
Greenock, &c., R. Co. v. Caledonian R. Co., 3 Nev. & Mac. 145, 1686
Greenough v. Greenough, 11 Pa. St. 489, 666, 677, 705
Green Ridge, &c., R. Co. v. Brinkman, 64 Md. 52, 1231, 1242, 1243a
Greensboro, &c., Turnpike Co. v. Stratton, 120 Ind. 294, 272, 276
Greenup County v. Maysville, &c., R. Co., 88 Ky. 659, 1096aj, 1106
Greenville v. Greenville, &c., R. Co., 125 Ala. 625, 52
Greenville, &c., R. Co. v. Cathcart, 4 Rich. L. (S. C.) 89, 109, 150
v. Coleman, 5 Rich. L. 118, 45, 132, 157
v. Johnson, 8 Baxter (Tenn.), 332, 122
v. Nunnamaker, 4 Rich. L. (S. Car.) 107, 1045
v. Partlow, 5 Rich. 428, 988, 995, 996
v. Planters, &c., Co., 70 Miss. 669, 322, 322a, 372
v. Woodsides, 5 Rich. L. (N. C.) 145, 106
Greenville, &c., Co. v. Reis, 54 Ohio St. 549, 282
Greenwaldt v. Lake Shore, &c., R. Co., 165 Ind. 219, 1166a, 1179a, 1703, 1761
Greenwich v. Easton, &c., R. Co., 24 N. J. Eq. 217, 630, 974, 1096
Greenwich Ins. Co. v. Louisville, &c., R. Co., 66 S. W. 411, 1236
Greenwich, &c., R. Co. v. Greenwich, &c., R. Co., 75 App. Div. (N. Y.) 220, 1019
Greenwood v. Curtis, 6 Mass. 358, 1494
v. Freight Co., 105 U. S. 13, 59, 426, 611, 613, 742
Greenwood v. Philadelphia, &c., R. Co., 124 Pa. St. 572, 1157, 1165, 1166, 1167, 1171
v. Union Freight R. R. Co., 105 U. S. 13, 43, 75, 613, 1096n
Greenwood, &c., R. Co. v. New York & G. L. R. Co., 8 N. Y. S. 26, 400
Greeny v. Long Island R. Co., 101 N. Y. 419, 1179a
Greer v. Chartiers, &c., R. Co., 96 Pa. St. 391, 108
Greer v. Union R. Co., 50 Misc. (N. Y.) 560, 1843
Gregg v. Baltimore, 56 Md. 256, 1110
v. Illinois Central R. Co., 147 Ill. 550, 1398, 1464, 1521, 1527, 1533, 1571, 1572
v. Metropolitan Trust Co., 197 U. S. 183, 528
v. Northern R. Co., 67 N. H. 452, 325a
v. Sanford, 65 Fed. R. 151, 751, 872
Gregor v. Slaughter, 99 S. W. 247, 1808
Gregory v. Blanchard, 98 Cal. 311, 520
v. Chicago, &c., R. Co., 100 Ia. 345, 1577, 1637
v. Cleveland, &c., R. Co., 4 Ohio St. 675, 681, 1015
v. Gregory, 1 J. & S. 1, 540, 548
v. Lamb, 16 Neb. 205, 295
v. Mighell, 18 Vesey, 328, 358
v. New York, &c., R. Co., 55 Hun (N. Y.), 303, 1800
v. Wabash Ry. Co., 46 Mo. App. 574, 1409, 1464, 1489
v. Webb, 89 S. W. 1109, 1653
Greig v. Riordan, 99 Cal. 316, 285
Grenada County Supervisors v. Brogden, 112 U. S. 261, 843, 845, 883, 1358d
Grenell v. Michigan Cent. R. Co., 124 Mich. 141, 1850
Gresham v. Louisville, &c., R. Co., 24 S. W. 869, 1168
Grethen v. Chicago, &c., R. Co., 22 Fed. R. 609, 1154, 1250, 1257
Greve v. Dunham, 60 Iowa, 108, 1539a, 1543
v. First Div. St. Paul, &c., R. Co., 26 Minn. 66, 998
Grew v. Breed, 12 Met. (Mass.) 363, 73
Grey v. Mobile, &c., Co., 55 Ala. 387, 1457, 1492
v. New York, &c., R. Co., 56 N. J. Eq. 463, 1096p, 1096ac
Gribble v. Columbus, &c., Co., 100 Cal. 67, 345, 492
Gridley v. Lafayette, &c., Co., 71 Ill. 200, 268
v. Westbrook, 23 How. (U. S.) 503, 656
Grier v. Railroad Co., 108 Mo. App. 565, 1457, 1457a, 1534, 1718
Gries v. Zeck, 24 Ohio. St. 329, 1820
Grieve v. Illinois, &c., R. Co., 104 Ia. 659, 1512, 1516, 1549, 1552, 1719
v. New Jersey St. R. Co., 65 N. J. L. 409, 1096cx
Griffee v. Burlington, &c., R. Co., 2 Int. Com. Rep. 194, 1612
Griffie v. St. Louis, &c., R. Co., 96 S. W. 750, 1166
Griffin v. Asheville Light & Power Co., 111 N. C. 434, 617, 619
v. Augusta, &c., R. Co., 70 Ga. 164, 1048
v. Booth, 152 Ill. 219, 1075

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Griffin v. Boston, &c., R. Co., 148 Mass. 143, 1309, 1318, 1333b, 1689f
v. Dohan, 48 Miss. 11, 950
v. Hodshire, 119 Ind. 235, 511
v. House, 18 Johns. (N. Y.) 397, 930
v. Kentucky Ins. Co., 3 Bush (Ky.), 592, 61
v. Long Island R. Co., 102 N. Y. 449, 568, 569
v. Macon County, 36 Fed. R. 885, 486
v. Ohio, &c., R. Co., 124 Ind. 326, 1338
v. Overman, &c., 61 Fed. R. 568, 1339
v. Witherspoon, 8 Ga. 113, 1825
Griffith v. Atchison R. Co., 114 Mo. App. 590, 1655
v. Chicago, &c., R. Co., 74 Iowa, 85, 285, 355
v. Commissioners of Crawford County, 20 Ohio, 609, 818
v. Denver, &c., Co., 14 Colo. App. 504, 1096br
v. Griffith, 2 Ves. Sen. 400, 562
v. Ingledew, 6 S. & R. (Pa.) 429, 1426, 1692
v. Kansas City, &c., R. Co., Cir. Ct. of Jackson Co., Mo., Feb., 1896, 1567
v. Lexington, &c., R. Co., 124 Ga. 553, 1767
v. Mangam, 73 N. Y. 611, 182, 548
v. Paget, L. R. 6 Ch. Div. 511, 85
v. Utica, &c., R. Co., 17 N. Y. S. 692, 1633
v. West Chester St. R. Co., 214 Pa. St. 293, 1096cj
Griffiths v. Earl of Dudley, 9 Q. B. D. 357, 1358, 1373, 1375, 1384
v. Lee, 1 Car. & P. 110, 1535
v. London, &c., R. Co., L. R. 13 Q. B. D. 259, 1307, 1311, 1697
Griggs v. Houston, 104 U. S. 533, 1, 4
v. Mercantile Trust Co., 109 Fed. 220, 585
Grigsby v. Chappell, 5 Rich. L. (S. Car.) 443, 1400
Grimes v. Eddy, 126 Mo. 168, 1547, 1669
v. Louisville, &c., R. Co., 3 Ind. App. 573, 1264
v. Minneapolis, &c., R. Co., 37 Minn. 66, 364, 1600, 1611
v. Pennsylvania Co., 36 Fed. R. 72, 1579
v. Pennsylvania, &c., R. Co., 8 Hous. (Del.) 529, 1641
Grimstead v. Marlowe, 4 Term. R. 717, 947
Grindle v. Milwaukee, &c., R. Co., 42 Ia. 376, 1689c
v. Stone, 78 Me. 176, 175
Grinnell v. Chicago, &c., R. Co., 103 U. S. 739, 793, 799, 801
Grinster v. Scranton, &c., R. Co., 181 Pa. St. 327, 226
Grinter v. Kansas Pac. R. Co., 23 Kan. 642, 808, 965
Grippen v. N. Y., &c., R. Co., 40 N. Y. 34, 1155, 1162, 1179
Griscom v. Gilmore, 16 N. J. Law, 105, 1014
Grisim v. Milwaukee, &c., Co., 84 Wis. 19, 218
Grissell v. Housatonic, &c., R. R. Co., 54 Conn. 447, 44, 1223
Griswold v. Central, &c., R. Co., 9 Fed. R. 797, 553
v. Chicago, &c., R. Co., 64 Wis. 652, 1578, 1628
v. Illinois, &c., R. Co. (Iowa) 53 N. W. 295, 383
v. Illinois Central R. Co., 90 Iowa, 265, 1235, 1236
v. New York, &c., R. Co., 3 Johns. (N. Y.) 321, 1558
v. New York, &c., Co., 53 Conn. 371, 364, 1498, 1605, 1608, 1645
v. Pelton, 34 Ohio St. 482, 782
v. Seligman, 72 Mo. 110, 103
v. Wright, 69 Wis. 1, 1070
Griveaud v. St. Louis, &c., R. Co., 33 Mo. App. 458, 1096cb, 1814
Grocers' Bank v. Kingman, 16 Gray (Mass.), 473, 232
Groel v. United Elec. Co., 132 Fed. 253, 655a
Groff v. Bird-in-hand Turnpike Co., 144 Pa. St. 150, 967
v. Old Colony R. Co., Sixth Dist. Ct. of Rhode Island, January 19, 1893, 1567
Grogan v. Adams Exp. Co., 114 Pa. St. 523, 1510, 1516, 1718
v. Chesapeake, &c., R. Co., 39 W. Va. 415, 1598, 1637
v. San Francisco, 18 Cal. 590, 806
Grose v. Hilt, 36 Me. 22, 186
Gross v. South Chicago, &c., R. Co., 73 Ill. App. 217, 1096cm
v. United States, &c., Co., 108 U. S. 477, 493
Grosse, The Peter der, L. R. 1 Prob. Div. 414, 1420
Grosse v. Chicago, &c., R. Co. (Wis.) 65 N. W. 185, 1194
Grosse Isle Hotel Co. v. I'Anson, 43 N. J. L. 442, 134, 143
Grosse Point Twp. v. Detroit, &c., R. Co., 130 Mich. 363, 1096ad
Grossman v. Houston, &c., R. Co., 92 S. W. 836, 996d, 1049b
Grostick v. Detroit, &c., R. Co., 90 Mich. 594, 1164
Grosvenor v. Hempstead, &c., R. Co., 26 L. J. R. (Ch.) 731, 924
v. New York, &c., R. Co., 39 N. Y. 34, 1403, 1409, 1410, 1462
Grote v. Chester, &c., R. Co., 2 Exch. 251, 1584, 1587, 1635
Groton, &c., Co. v. Alabama, &c., R. Co., 80 Miss. 162, 1060
v. American, &c., Co., 137 Fed. 284, 653
Grove v. Brien, 8 How. (U. S.) 429, 1559
Grove St., In re, 61 Cal. 438, 1028, 1029
Grover v. Louisville R. Co., 109 Ky. 76, 1096ap
Grover, &c., Co. v. Missouri Pacific R. Co., 70 Mo. 672, 303, 1435, 1437
Groves v. Kansas City, &c., R. Co., 57 Mo. 304, 1065
v. Louisville, &c., R. Co., 109 Ky. 76, 1096cb, 1096cc
Groves, &c., R. Co. v. Herman, 206 Ill. 34, 1053
Grows v. Maine, &c., R. Co., 67 Me. 100, 1160, 1168
Grubb v. Mahoning Nav. Co., 14 Pa. St. 302, 140
Grubbs v. Vicksburg, &c., R. Co., 50 Ala. 398, 140, 142

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Grube v. Missouri, &c., Co., 98 Mo. 330, 213, 1702
Gruber v. Washington, &c., R. Co., 92 N. C. 1, 368, 1573
Grund v. Pendergast, 58 Barb. 216, 1691
v. Tucker, 5 Kan. 70. 180
Grundy v. Louisville, &c., R. Co. (Ky.) 2 S. W. 899, 1213
Grundy Co. v. Tennessee, &c., Co., 94 Tenn. 295, 743b
Grymes v. Hone, 49 N. Y. 17, 96
G. S. Roth Clothing Co. v. Maine, &c., Co., 44 Misc. 237, 1730
Guarantee Trust Co. v. Duluth, &c., R. Co., 70 Fed. 803, 511
v. Philadelphia, &c., R. Co., 69 Conn. 709, 554. 555
Guarantee, &c., R. Co. v. Weil, 141 Pa. St. 511, 127
Guaranty Trust Co. v. Atlantic Coast Elec. H. Co., 138 Fed. 517, 1096bl
v. Galveston City R. Co., 107 Fed. 311, 552
Guaranty Trust, &c., Co. v. Green Cove, &c., R. Co., 139 U. S. 137, 509, 513, 514
Guardians, &c., v. Stroher, 24 Eng. Law & Eq. 183, 232
Gubbins v. Lantenschlager, 74 Fed. 106, 1059
Gudger v. Richmond, &c., R. Co., 106 N. C. 481, 393
v. Western, &c., R. Co., 87 N. Car. 325, 1057, 1092, 1176
Gue v. Tidewater, &c., Co., 24 How. U. S. 257, 72, 520, 1096ad
Guenther v. Lockhart, 16 N. Y. Supp. 717, 1303
v. Metropolitan R. Co., 23 App. D. C. 493, 1096cv
Guerkink v. Petaluma, 112 Cal. 306, 1049c
Guesnard v. Louisville, &c., R. Co., 76 Ala. 453, 1570
Guess v. Railway Co., 30 S. Car. 163, 1209
Guffey v. Hannibal, &c., R. Co., 53 Mo. App. 462, 1689h
Guffin v. Boston, &c., R. Co., 148 Mass. 143, 1349
v. Overman, 61 Fed. R. 568, 1349
Guggenheim v. Lake Shore, &c., R. Co., 66 Mich. 150, 682, 1798, 1850
v. Lake Shore, &c., R. Co., 57 Mich. 488, 1158
Guhl v. Whitcomb, 109 Wis. 69, 1179b
Guidhall, The, 58 Fed. R. 796, 1505, 1506
Guiding Star, The, 53 Fed. R. 936, 1419, 1463
Guiding Star, The, 62 Fed. R. 407, 1419
Guidry v. Brousard, 32 La. Ann. 924, 752
Guilbault v. McGreevy, 18 Can. Sup. Ct. 609, 1059, 1061
Guilbert v. Guild, 144 Mass. 601, 1283
Guilfoos v. N. Y., &c., R. Co., 69 Hun (N. Y.), 593, 946, 1184
Guilford v. Minneapolis, &c., R. R. Co., 48 Minn. 560, 484, 509
v. Western U. Tel. Co., 43 Minn. 434, 80
Guillaume v. Fruit Land Co., Ore. 86 Pac. 883, 269
v. General T. Co., 100 N. Y. 491, 1423, 1491, 1523, 1535, 1694
Guillaume v. Hamburg, &c., Packet Co., 42 N. Y. 212, 1426
Guillory v. Avoyellas R. Co., 104 La. 11, 851a
Guilmont's Adms. v. Central Vt. R. Co., 78 Vt. 185, 1168
Guinn v. Iowa, &c., R. Co., 109 N. W. 209, 1006, 1035a, 1040
Guinard v. Knapp, &c., Co., 90 Wis. 123, 1584
Guinault v. Louisville, &c., R. Co., 41 La. Ann. 571, 26, 28
Guinn v. Iowa Central R. Co., 14 Fed. R. 323, 649
v. Wabash, &c., R. Co., 20 Mo. App. 453, 1547, 1551
Guinness v. Land Corp., L. R. 22 Ch. Div. 349, 81
Guldager v. Rockwell, 14 Colo. 459, 1376
Gulf City Const. Co. v. Louisville, &c., R. Co., 121 Ala. 621, 1567
Gulf City R. Co. v. Galveston, 69 Tex. 660, 1096s, 1096aj
Gulf City, &c., Co. v. Galveston, &c., Co., 65 Tex. 502, 66, 1079, 1092
Gulf R. v. Morris, 7 Kan. 210, 741
Gulf, &c., R. Co. v. A. B. Frank Co., 48 S. W. 210, 1443a, 1519
v. Adair, 4 Tex. App. (Civil Cases) 55, 1439
v. Alcorn, 23 S. W. 186, 1752
v. Baird, 75 Tex. 356, 1445, 1446
v. Baugh, 42 S. W. 245, 1423, 1520
v. Beattie, 88 S. W. 367, 1730, 1746, 1755
v. Bell, 93 Tex. 632, 1633, 1833
v. Bell, 24 Tex. Civ. App. 579, 1589, 1808, 1820
v. Belton Oil Co., 99 S. W. 430, 1718
v. Benson, 69 Tex. 407, 1224, 1226, 1242, 1245, 1245a
v. Berry, 72 S. W. 1049, 1074a
v. Blake, 95 S. W. 593, 1204
v. Blockman, 87 Miss. 192, 1278a, 1689f
v. Blohn, 73 Tex. 637, 1300
v. Booth, 97 S. W. 128, 1628, 1628b
v. Booton, 15 S. W. 502, 1737
v. Boyce, 87 S. W. 395, 1314, 1315a
v. Box, 81 Tex. 670, 1821
v. Brown (Tex. Civ. App.), 24 S. W. 918, 1514
v. Brown, 16 Tex. Civ. App. 93, 1806
v. Bruce, 24 S. W. 927, 1689i
v. Bunn, 95 S. W. 640, 1637
v. Butler, 26 Tex. Civ. App. 494, 1734
v. Butler, 31 Tex. Civ. App. 576, 1734
v. Calvert, 11 Tex. Civ. App. 297, 1346, 1689l
v. Campbell, 76 Tex. 174, 1580, 1581, 1629, 1820
v. Carter, 71 S. W. 73, 1833
v. Clark, 2 Tex. App. (Civ. Cas.) 459, 1519
v. Clarke, 5 Tex. Civ. App. 547, 1437
v. Clay, 66 S. W. 1115, 1138
v. Cole, 16 S. W. 176, 1731
v. Cole, 8 Tex. Civ. App. 635, 635, 303, 1437
v. Conder, 23 Tex. Civ. App. 488, 1638
v. Condra, 36 Tex. Civ. App. 556, 1843
v. Coon, 69 Tex. 730, 1804
v. Cooper, 33 Tex. Civ. App. 319, 1813

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gulf, &c., R. Co. v. Coopwood, 96 S. W. 102, 1628, 1628a, 1816
v. Craft, 102 S. W, 170, 1820
v. Cusenberry, 86 Tex. 525, 1227
v. Cushney, 95 Tex. 309, 1746
v. Daniels (Tex. Civ. App.), 29 S. W. 426, 1593, 1823
v. Dansbank, 6 Tex. Civ. App. 385, 1633
v. Darby, 28 Tex. Civ. App. 229, 1457a
v. Dawkins, 77 Texas 228, 215, 1305, 1582, 1632
v. Denson, 72 S. W. 70, 1804
v. Donahoo, 59 Tex. 128, 977, 1048, 1051
v. Douglas (Tex. Civ. App.), 30 S. W. 487, 1660
v. Dunn, 78 S. W. 1080, 1747
v. Dunman, 81 S. W. 781, 1750
v. Dwyer, 75 Tex. 572, 1446, 1451
v. Eddins, 60 Tex. 656, 978, 996, 1087
v. Edloff (Tex.), 34 S. W. 410, 1445, 1450
v. Ellis, 18 S. W. 723, 669, 1220
v. Ellis, 87 Tex. 19, 669, 1220
v. Ellis, 165 U. S. 150, 21, 668, 772a
v. Ellis, 54 Fed. 481, 1689h
v. Ellis, 85 Miss. 586, 1194
v. Ellison, 70 Tex. 491, 1548, 1555
v. Evanisch, 63 Tex. 54, 1822
v. Evansich, 61 Tex. 3, 1795
v. Finley (Tex. Civ. App.), 32 S. W. 51, 1280
v. Ft. Worth, &c., R. Co., 86 Tex. 537, 1046a
v. Fox, 6 S. W. 569, 1603, 1704
v. Freeman, 4 Tex. App. (Civ. Cas.), 419, 1525
v. Frost, 34 S. W. 167, 1548
v. Fuller, 63 Tex. 467, 976, 995
v. Gann, 8 Tex. Civ. App. 620, 1554
v. Gatewood, 79 Tex. 89, 1500, 1512, 1513
v. Gibson, 93 S. W. 469, 1255
v. Gilbert, 4 Tex. Civ. App. 366, 1731
v. Glenk (Tex.), 30 S. W. 278, 1590
v. Godair, 3 Tex. Civ. App. 514, 1443a
v. Gorman, 6 Tex. Civ. App. 230, 1766
v. Graves, 101 S. W. 488, 1738, 1755
v. Gray, 24 S. W. 921, 1750
v. Greenlee, 70 Tex. 553, 1702, 1704, 1850
v. Grisom, 36 Tex. Civ. App. 630, 1822
v. Hall, 34 Tex. Civ. App. 535, 721, 1251, 1581a
v. Hamilton, 17 Tex. Civ. App. 76, 1793, 1807
v. Hamilton (Tex.), 28 S. W. 906, 1158
v. Harbison, 88 S. W. 452, 1057g
v. Harriett, 80 Tex. 73, 1297, 1300
v. Hathaway, 75 Tex. 557, 617
v. Hays, 89 S. W. 29, 1284, 1689i
v. Hayter, 93 Tex. 239, 1817
v. Heney, 158 U. S. 98, 658, 1358b, 1664, 1666, 1669, 1670, 1684i
v. Heisley, 62 Tex. 593, 977, 1048
v. Henry, 84 Tex. 678, 200, 1595
v. Hockaday, 14 Tex. Civ. App. 613, 1796
v. Hodge, 10 Tex. Civ. App. 543, 303, 1406, 1473, 1729
Gulf, &c., R. Co. v. Hodges (Tex. Civ. App.), 24 S. W. 563, 1641
v. Hohl (Tex. Civ. App.), 29 S. W. 1131, 1272, 1288
v. Holder (Tex.), 30 S. W. 383, 1450
v. Holliday, 65 Tex. 512, 977
v. House, 88 S. W. 1110, 1423
v. Houghton, 68 S. W. 718, 1734
v. Hughes, 31 S. W. 411, 1727
v. Hume, 6 Tex. Civ. App. 653, 1473
v. Hune, 87 Tex. 211, 1512, 1730
v. Insurance Co. (Tex.) 28 S. W. 237, 1412
v. Ions, 3 Tex. Civ. App. 619, 1650, 1658, 1661
v. Irwin (Tex. Civ. App.), 73 S. W. 540, 303, 1747
v. Jackson, 65 Fed. R. 48, 1296, 1298, 1298a, 1302
v. Jackson, 4 Tex. Civ. App. (Civ. Cas.) 73, 1660
v. Jackson, 89 S. W. 968, 1551, 1730
v. James, 73 Tex. 12, 214, 303, 617
v. Johnson, 54 Fed. R. 474, 1205, 1238, 1240, 1243
v. Johnson, 1 Tex. Civ. App. 103, 1207
v. Jones, 63 Tex. 524, 976
v. Jordan, 25 Tex. Civ. App. 82, 1245b
v. Keith, 74 Tex. 287, 1218
v. Kemp (Tex. Civ. App.), 30 S. W. 714, 1558, 1751
v. Killebrew, 20 S. W. 182, 1633, 1831, 1846
v. Kirkvride, 79 Tex. 457, 1637, 1789
v. Kizziah, 86 Tex. 81, 1288
v. Knott (Tex. Civ. App.), 36 S. W. 491, 1697
v. Kuehnle, 4 Tex. App. (Civ. Cas.) 427, 1637, 1837
v. Lankford (Tex.), 29 S. W. 933, 1257
v. Levi, 76 Tex. 337, 1459, 1484
v. Looney, 85 Tex. 158, 1596
v. Loonie, 84 Tex. 259, 1730
v. Lovett, 74 S. W. 570, 1581a
v. Luther, 90 S. W. 44, 1638, 1816
v. McAulay (Tex. Civ. App.), 26 S. W. 475, 1553
v. McCormick, 100 S. W. 202, 1594, 1785
v. McCorquodale, 71 Tex. 41, 1555
v. McCown (Tex. Civ. App.), 25 S. W. 435, 1532
v. McGown, 65 Tex. 640, 364, 1606, 1607, 1608, 1645
v. McLean, 74 Tex. 646, 1238
v. McWhirter, 77 Tex. 356, 1261
v. Mangham, 95 Tex. 413, 1813
v. Martin, 28 S. W. 576, 1729
v. Melville, 87 S. W. 863, 1158, 1166, 1172
v. Miami County, 12 Kan. 230, 815
v. Miami, &c., Co., 86 Fed. 407, 1395a, 1558
v. Milan County, 90 Tex. 355, 1103
v. Minter, 93 S. W. 516, 1377
v. Montgomery, 85 Tex. 64, 1102
v. Moody, 3 Tex. Civ. App. 622, 1637
v. Moody (Tex. Civ. App.), 30 S. W. 574, 1576, 1595, 1652, 1823
v. Mud Creek, &c., R. Co., 1 Tex. App. (Civ. Cases) 169, 102
v. Necco, 15 S. W. 1102, 1825

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gulf, &c., R. Co. v. Neeley, 64 Tex. 344, 176
v. Nelson, 5 Tex. Civ. App. 387, 1686, 1699
v. Nelson, 4 Tex. Civ. App. 345, 1684l
v. Newell, 73 Tex. 334, 324, 325, 526
v. North Texas Grain Co., 32 Tex. Civ. App. 93, 1571
v. Pendery, 87 Tex. 553, 1096ck, 1178
v. Pettis, 69 Tex. 689, 1297
v. Phillips, 32 Tex. Civ. App. 238, 1839
v. Pierce, 7 Tex. Civ. App. 597, 1689l
v. Pittman, 4 Tex. Civ. App. 167, 352
v. Pomeroy, 67 Tex. 498, 977
v. Porter, 25 Tex. Civ. App. 491, 1483
v. Provo, 84 S. W. 275, 1057g
v. Reagan (Tex.), 32 S. W. 846, 1224, 1226
v. Reagan, 34 S. W. 796, 1806
v. Redeker, 67 Tex. 181, 1272, 1296
v. Redeker, 100 S. W. 362, 1627a, 1645a
v. Richards, 83 Tex. 203,
v. Richards (Tex.), 32 S. W. 96, 938
v. Riordan, 22 S. W. 519, 1114a
v. Roberts, 85 S. W. 479, 1516, 1734
v. Robinson, 72 S. W. 70, 1820
v. Rowland (Tex. Civ. App.), 23 S. W. 421, 1226
v. Rowland, 70 Tex. 298, 668, 1102, 1138, 1142
v. Rowland, 82 Tex. 166, 1787
v. Rowland, 90 Tex. 365, 1830
v. Royall, 18 Tex. Civ. App. 86, 1697
v. Ryan, 69 Tex. 665, 1282, 1324
v. Ryon, 72 S. W. 72, 1057g
v. Saddler, 8 Tex. Civ. App. 300, 1239
v. Sauter, 103 S. W. 201, 1812, 1816
v. Schwabbe, 1 Tex. Civ. App. 573, 1288, 1290, 1292
v. Scott (Tex. Civ. App.), 27 S. W. 827, 1696
v. Shelton, 30 Tex. Civ. App. 72, 1581a, 1629
v. Shepherd, 76 S. W. 800, 1239
v. Shields (Tex. Civ. App.), 28 S. W. 709, 1639
v. Short, 51 S. W. 261, 1406
v. Simmons, 28 S. W. 825, 1747
v. Smith, 74 Tex. 276, 1696, 1757
v. Smith, 72 Tex. 122, 946
v. Smith, 3 Tex. Civ. App. 483, 1240
v. Smith, 30 S. W. 361, 1633
v. Smith, 87 Tex. 348, 1156, 1850
v. Smith, 26 S. W. 644, 1813
v. Sneed, 84 Miss. 252, 1176
v. Southwestern Tel., &c., Co., 25 Tex. Civ. App. 488, 975c, 1050
v. Southwestern Tel., &c., Co., 52 S. W. 87, 996b
v. Southwick, 30 S. W. 592, 1368, 1788
v. St. John (Tex. Civ. App.), 35 S. W. 501, 1597
v. State, 72 Tex. 404, 366, 367, 385, 1675, 1689h
v. Staton, 49 S. W. 277, 1734
v. Stricklin (Tex.), 27 S. W. 1093, 1585
Gulf, &c., R. Co. v. Stricklin (Tex.), 36 S. W. 247, 1584
v. Terry & McAfee, 89 S. W. 792, 1745, 1755
v. Texas, 204 U. S. 403, 1671
v. Trawick, 68 Tex. 314, 1465, 1512
v. Trawick (Tex.), 15 S. W. 568, 1404
v. Trawick, 80 Tex. 270, 1464, 1512, 1514, 1548, 1550, 1551a, 1552
v. Trott, 86 Tex. 412, 1817
v. Turner, 93 S. W. 195, 1839
v. Vancil, 2 Tex. Civ. App. 427, 1660
v. Vaughn, 4 Tex. App. (Civil Cases) 269, 1512
v. Walker, 70 Tex. 126, 1094, 1258
v. Wallen, 65 Tex. 568, 1704
v. Ware, 34 Tex. Civ. App. 455, 1734
v. Warlick (Indian Ty.), 35 S. W. 235, 1583, 1585, 1696
v. Warner (Tex. Civ. App.), 36 S. W. 118, 1278, 1306
v. Washington, 49 Fed. R. 347, 1188, 1205, 1213, 1689c
v. Wells, 81 Tex. 685, 1273
v. White, 32 S. W. 322, 1507
v. Wilbanks, 7 Tex. Civ. App. 489, 1438
v. Wilhelm, 3 Tex. App. (Civil Cases) 558, 1511
v. Wilhelm, 16 S. W. 109, 1714
v. Wilhelm, 3 Wills Civ. Cas. Ct. App. 458, 1714
v. Williams, 39 S. W. 967, 1288
v. Williams, 72 Tex. 159, 1296
v. Wilm, 9 Tex. Civ. App. 161, 1747
v. Wilson, 7 Tex. Civ. App. 128, 1438
v. Wilson, 79 Tex. 371, 1191, 1270, 1578a, 1604, 1631, 1634, 1757, 1808
v. Winder, 26 Tex. Civ. App. 263, 1065
v. Wisenhunt, 81 S. W. 332, 1301a
v. Wittig (Tex.), 35 S. W. 859, 1291
v. Wood, 63 S. W. 164, 1298a, 1315c
v. Wright, 2 Tex. Civ. App. 463, 1598
v. Younger (Tex. Civ. App.), 29 S. W. 948, 1156
v. Younger, 90 Tex. 387, 1378b, 1822
v. Zimmerman, 81 Tex. 605, 1509
Gulf, &c., Co. v. Compton, 75 Tex. 667, 218
v. Greenlee, 62 Tex. 344, 1097, 1114, 1157
v. Morris, 67 Tex. 692, 37, 67, 170, 206, 324, 349, 431, 473, 519, 531, 923, 1208, 1573
Gulliher v. Chicago, &c., R. Co., 59 Iowa, 416, 1377
Gulliver v. Adams Express Co., 38 Ill. 503, 1401
Gumb v. Twenty Third St. R. Co., 114 N. Y. 411, 1773
v. Twenty-Third St. R. Co., 30 N. Y. St. 253, 1808
Gummere v. Lehigh Val. R. Co. (Pa. Com. Pl.), 12 Pa. Co. Ct. R. 106, 628
Gunderman v. Missouri, &c., R. Co., 58 Mo. App. 370, 1590, 1641
Gundy v. Chicago, &c., R. Co., 30 Iowa, 420, 1221
Gunn v. Barry, 15 Wall. 610, 832

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Gunn v. Central R. &c., Co., 74 Ga. 509, 374
v. Felton, 108 Ky. 561, 1849
v. London, &c., Co., 12 Com. B. N. S. 694, 14
v. Ohio River R. Co., 36 W. Va. 165, 1257
v. Ohio River R. Co., 42 W. Va. 676, 1257
v. Union R. Co., 27 R. I. 320, 1702
Gunnison v. Chicago, &c., R. Co., 117 Fed. 629, 525
Gunnison Co. v. Rollins, 173 U. S. 255, 888, 897
Gunnison, &c., R. Co. v. Whitaker, 91 Fed. 191, 376
Gunter v. Atlantic Coast Line R. Co., 200 U. S. 273, 752
v. Graniteville, &c., R. Co., 18 S. Car. 262, 1276, 1316, 1321
Gurdiach v. Scott, 192 Ill. 509, 1304
Gurley v. Armstead, 148 Mass. 267, 1466
v. Missouri, &c, R. Co., 104 Mo. 211, 1102, 1112, 1828
v. Missouri, &c., R. Co., 122 Mo. 141, 1696
Gurney v. Atlantic, &c., R. Co., 58 N. Y. 358, 186, 605
v. Behrend, 3 El. & Bl. 622, 1428, 1429
v. Grand Trunk R. Co., 59 Hun, 625, 1660
v. Minneapolis, &c., R. Co., 41 Minn. 223, 931, 972, 1040
v. Union Transfer & S. Co., 25 Jones & S. (57 Super. Ct.) 444, 156
Gurnsey v. Edwards, 26 N. H. 224, 1008
Gustafson v. Hamm, 56 Minn. 334, 1077, 1090
v. Wind, 62 Ia. 284, 1774
Gustin v. Atchison, &c., R. Co., 8 I. C. C. 277, 1684g
Gustine v. Phillips, 38 Mich. 674, 1539
Guta v. Lake Shore, &c., R. Co., 81 Mich. 291, 1164, 1166, 1179l
Guthrie v. Great Northern R. Co., 76 Minn. 277, 1314
v. Louisville, &c., Co., 11 Lea (Tenn.), 372, 1278a
v. Maine, &c., R. Co., 81 Me. 572, 1267
v. Missouri Pac. R. Co., 51 Neb. 746, 1702
Guthrie, &c., R. Co. v. Faulkner, 12 Okla. 532, 988, 989
Gutridge v. Missouri, &c., Ry. Co., 105 Mo. 520, 1307
v. Missouri Pacific R. Co., 94 Mo. 468, 1279, 1782
Gutta Percha, &c., Co. v. Village of Ogalla, 40 Neb. 775, 289
Guy v. Baltimore, 100 U. S. 434, 760, 763
v. Doak, 47 Kan. 236, 560
v. New York, &c., R. Co., 30 Hun (N. Y.), 399, 1637
v. Pittsburgh, &c., R. Co., 6 Ohio N. P. 3, 1801
Guyer v. Davenport, &c., R. Co., 196 Ill. 370, 1040a
Gwin v. Barton, 6 How. 7, 1365
v. Breedlove, 2 How. 29, 1365
v. Richmond, &c., R. Co., 85 N. Car. 429, 1540, 1692
Gwinn v. Wabash, &c., R. Co., 20 Mo. App. 453, 1555
Gwyn, &c., Co. v. Carolina Cent. R. Co., 128 N. Car. 280, 1413, 1450, 1505
Gwynne v. Burnell, 7 Cl. & F. 572, 736
v. Cincinnati, 3 Ohio, 24, 1025
Gyger v. Philadelphia, &c., R. R. Co., 136 Pa. St. 96, 3, 6

H

Haas v. Chicago, &c., R. Co., 41 Wis. 44, 668, 723
v. Chicago, &c., R. Co., 90 Iowa, 259, 1297, 1315a
v. Grand Rapids, &c., R. Co., 47 Mich. 401, 1114, 1157, 1167
v. Kansas City, &c., R., 81 Ga. 792, 1428, 1459
v. Missionary Society, &c., 26 N. Y. Supp. 868, 223
v. St. Louis, &c., R. Co., 111 Mo. App. 709, 1800
Haas Co. v. Citizens Bank, 144 Ala. 562, 1428
Haase v. Oregon, &c., R. Co., 19 Ore. 354, 1580, 1582, 1628, 1689l
Habey v. Kansas City, &c., R. Co., 113 Ala. 640, 1096bo
Hach v. St. Louis, &c., R. Co., 117 Mo. App. 11, 1268
Hack v. Chicago, &c., R. Co., 23 Fed. R. 356, 647
Hackensack, &c., Co. v. DeKay, 36 N. J. Eq. 548, 246, 351, 373, 405, 485, 493, 509, 526
Hacker v. Howe, 101 N. W. 255, 752
Hackett v. Multuomah R. Co., 12 Ore. 124, 374
v. Ottawa, 99 U. S. 86, 847, 897, 898
v. Western Union Tel. Co., 80 Wis. 187, 1063, 1064
Hadd v. United States, &c., Ex. Co. 52 Vt. 335, 1435, 1438, 1453
Hadden v. Colector, 5 Wall. 107, 383
v. Shoutz, 15 Ill. 582, 419
Haddow v. Parry, 3 Taunt. 303, 1420
Hade v. McVay, 31 Ohio St. 231, 569
Haden v. Sioux City, &c., R. Co. 92 Iowa, 226, 1253, 1344, 1355, 1378
v. Sioux City, &c., R. Co. (Iowa) 48 N. W. 733, 1314
Haderlein v. St. Louis, &c., R. Co., 3 Mo. App. 601, 1704
Hadjii, The, 18 Fed. R. 459, 1510
Hadley v. Baxendale, 9 Exch. 341, 1729, 1731, 1741
v. Clarke, 8 T. R. 259, 1485
v. Russell, 40 N. H. 109, 183
Haehl v. Wabash R. Co., 119 Mo. 325, 1265, 1378a
Haesley v. Winona, &c., R. Co., 46 Minn. 233, 1260
Haetsch v. Chicago, &c., R. Co., 87 Wis. 304, 1165, 1166
Hafer v. Cincinnati, H. & D. R. Co. (Ohio Com. Pl.) 29 Wkly. Law Bul. 68, 447
v. New York, &c., R. Co., (Cincinnati Super. Ct.) 14 Week. Law Bul. 68, 174
Haff v. Minneapolis, &c., R. Co., 4 McCrary, 622, 474
Hafner v. St. Louis, &c., R. Co., 197, Mo. 196, 1096bs
Hagaman v. Commissioners, 19 Kan. 394, 752

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hagan v. Blindell, 56 Fed. R. 696, 633
v. Chicago, &c., R. Co., 86 Mich. 615, 1224, 1245a
v. Hardie, 8 Heisk. 812, 456
v. Providence, &c., R. Co., 3 R. I. 88, 1802
v. Walker, 14 How. (U. S.) 29, 511, 512
Hagar v. Board of Supervisors, 47 Cal. 222, 950
v. Brainerd, 44 Vt. 294, 1025
v. Buck, 44 Vt. 285, 945
v. Reclamation Dist., 111 U. S. 701, 771, 1019
v. Union Nat. Bank, 63 Me. 509, 99, 100, 310
Hagen v. Chicago, &c., R. Co., 86 Mich. 615, 1225, 1234
Hagenlocher v. Coney Island, &c., R. Co., 99 N. Y. 136, 1689i
Hager v. Burlington, 42 Iowa, 661, 783
v. Stevens, 2 Halst. Ch. 374 (6 N. J. Eq. 374), 550
Hagerstown, &c., Co. v. Creeger, 5 Harr. & J. (Md.) 122, 103
Haggerty v. Central R. Co., 31 N. J. L. 349, 1361
v. Fagan, 2 Penrose & W. 533, 421
Haggin v. Lewis, 66 Fed. 199, 652
Hagins v. Cape Fear, &c., R. Co., 106 N. Car. 537, 1768
Hagner v. Pennsylvania, &c., R. Co., 154 Pa. St. 475, 924, 927, 929, 930, 931, 969, 977
Hagwood v. Southern, 117 U. S. 52, 700
Hahl v. Lanx, 93 S. W. 1080, 1570, 1572
Hahn v. Chicago, &c., R. Co., 43 Iowa, 333, 1053
v. Southern Pac. R. Co., 51 Cal. 605, 1264
Hahnemannian Life Ins. Co. v. Beebe, 48 Ill. 87, 615
Haigh v. Royal Mail, &c., Co., 52 L. J. Q. B. 640, 1373, 1375, 1376
Haight v. Hamilton St. R. Co., 29 Ont. Rep. 279, 1096ci
v. Railroad Co., 6 Wall. (U. S.) 15, 505
Haile v. Texas, &c., R. Co., 60 Fed. 557, 1816, 1817
Hailey v. Texas, &c., R. Co., 113 La. Ann. 533, 1301a
Hallie v. Smith, 1 B. & P. 563, 1426
Haines v. Chicago, &c., R. Co., 29 Minn. 160, 1649
v. Lake Shore, &c., R. Co., 129 Mich. 475, 1813
v. St. Louis, &c., R. Co., 65 Iowa, 216, 992
Haire v. Rome R. Co., 57 Fed. R. 321, 650, 651
Haislip v. Wilmington, &c., R. Co., R. Co., 102 N. Car. 376, 987
Haldan v. Great Western R. Co., 30 U. C. C. P. 89, 1169
Haldeman v. Ainslie, 82 Ky. 395, 90
v. Pennsylvania R. Co., 50 Pa. St. 425, 972
Hale v. Allinson, 188 U. S. 56, 570
v. Bonner, 82 Tex. 33, 1577b
v. Burlington, &c., R. Co., 2 McCrary (U. S. C. C.) 558, 1075
Hale v. Cheshire R. R. Co., 161 Mass. 443, 325, 328
v. Finch, 104 U. S. 261, 812
v. Frost, 99 U. S. 389, 528
v. Grand Trunk R. Co., 60 Vt. 605, 1256
v. Kenosha, 29 Wis. 599, 781
v. Missouri Pac. R. Co., 36 Neb. 266, 726, 1511, 1554
v. Mutual Fire Ins. Co., 32 N. H. 295, 372
v. Nashua, &c., R. Co., 60 N. H. 333, 508, 513
v. New Jersey, &c., Co., 15 Conn. 539, 1481, 1494
v. Railroad Co., 34 S. Car. 299 1151a
v. Republican, &c., Co., 8 Kan. 466, 274, 321
v. Tyler, 104 Fed. 757, 555
Hales v. London, &c., R. Co., 4 Best & S. 66, 1465, 1484, 1520, 1730
Haley v. Chicago, &c., R. Co., 21 Iowa, 15, 1369, 1637
v. Jump River Lumber Co., 81 Wis. 422, 1314
v. Kansas City, &c., R. Co., 113 Ala. 640, 1253
v. St. Louis, &c., R. Co., 69 Mo. 614, 1245
Half v. Cleveland, &c., R. Co., 15 Ind. App. 496, 1169
Halferty v. Wabash, &c., R. Co., 82 Mo. 90, 1153, 1206
Halff v. Allyn, 60 Tex. 278, 1539
Halifax City v. Railroad Co., 1 Russ. Eq. (Nova Scotia) 319, 1092, 1096aj
Halifax St. R. Co. v. Joyce, 22 Can. Sup. Ct. 258, 1096cc
Halifax, &c., R. Co. v. Francklyn, 8 Ry. & Corp. L. J. 91, 262
Hall v. Alabama, &c., R. Co., 143 Ala. 464, 95
v. Astoria, &c., Co., 5 Ry. & Corp. L. J. 412, 550
v. Baker, 74 Wis. 118, 844
v. Bedford, &c., Co., 150 Ind. 460, 1291
v. Boston, &c., R. Co., 14 Allen (Mass.), 439, 1517, 1526
v. Brown, 54 N. H. 495, 1a, 4, 474, 1179e, 1264
v. Carney, 140 Mass. 131, 624
v. Cedar Rapids, &c., R. Co., 115 Ia. 18, 1689l, 1799
v. Cheney, 36 N. H. 26, 1713
v. Chicago, &c., R. Co., 46 Minn. 439, 1300, 1314, 1315a, 1351, 1827, 1828
v. Chicago, &c., R. Co., 149 Fed. 564, 656a, 1358b, 1358e
v. Clearfield, &c., R. Co., 168 Pa. St. 64, 945, 1149
v. Cleveland, &c., R. Co., 15 Ind. App. 496, 1169
v. Connecticut, &c., R. Co., 13 Conn. 319, 1583, 1587
v. DeCuir, 95 U. S. 485, 764, 1577a, 1664, 1665, 1668
v. Dimond, 63 N. H. 565, 1543, 1571
v. Fitler Mfg. Co., 10 Phila. (Pa.) 370, 626
v. Galveston, &c., R. Co., 39 Fed. R. 18, 1328

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hall v. Grand Trunk R. Co., 31 U. C. Q. B. 535, 1420
v. Henderson, 126 Ala. 449, 95, 320
v. Ionia, 38 Mich. 493, 415
v. Keller, 64 Kan. 211, 1429a
v. Klinck, 25 S. Car. 348, 183, 185, 276
v. Leonard, 1 Pick. 27, 409
v. London, &c., R. Co., L. R. 15 Q. B. Div. 505, 1566, 1678
v. London, &c., Co., L. R. 17 Q. B. D. 230, 683
v. Memphis, &c., R. Co., 15 Fed. R. 57, 1594, 1637, 1823
v. Missouri, &c., R. Co., 74 Mo. 298, 1689c
v. New York, &c., R. Co., 27 R. I. 525, 227
v. Northeastern R. Co., L. R. 10 Q. B. 437, 1446, 1608, 1627
v. Ocean Ins. Co., 37 Fed. R. 371, 1571
v. Ogden, &c., R. Co., 13 Utah, 243, 1096bq, 1096cb, 1096ce, 1096cf, 1096cg, 1096ci
v. Pennsylvania R. Co., 14 Phila. 414, 1458, 1459, 1513
v. Penn Co., 90 Ind. 459, 1423, 1698
v. People, 57 Ill. 307, 1027
v. Peoria, &c., R. Co., 143 Ill. 163, 935
v. Pickering, 40 Me. 548, 942, 1048
v. Posey, 79 Ala. 84, 1353
v. Railroad Co., 13 Wall. (U. S.), 367, 1509
v. Renfro, 3 Metc. (Ky.) 51, 1454, 1455, 1546
v. Rose Hill, &c., Co., 70 Ill. 673, 80
v. Russell, 101 U. S. 503, 794, 796
v. Sims, 106 Ala. 561, 117
v. South Carolina R. Co., 25 S. Car. 564, 1670
v. South Carolina R. Co., 28 S. Car. 261, 1603, 1637
v. Sullivan, &c., Co., 1 Brunner, C. C. 613, 72, 75, 613
v. Sullivan Railroad Co., 21 Law Reporter, 158, 67, 68, 488, 958
v. Tanner, &c., Co., 91 Ala. 363, 340
v. Terre Haute, &c., Co., 76 N. E. 334, 1096cs, 1579
v. Thayer, 12 Metc. (Mass.) 130, 105
v. Union Pac. R. Co., 5 McCrary (U. S.), 257, 1271
v. United States Ins. Co., 5 Gill (Md.), 484, 142
v. Vermont & Mass. R. Co., 28 Vt. 401, 14
v. Wabash, &c., R. Co., 80 Mo. App. 463, 1443a
v. West End St. R. Co., 168 Mass. 461, 1096cj, 1096de
v. Wisconsin, 103 U. S. 5, 806
v. Wolff, 61 Ia. 559, 1704
Hallam v. Indianola Hotel Co., 56 Iowa, 178, 276, 535
Hallenbeck v. Hahn, 2 Neb. 377, 814
Halliburton v. Wabash R. Co., 58 Mo. App. 27, 1304
Halliday v. St. Louis, &c., R., 74 Mo. 159, 1435, 1441, 1446, 1716
Halliday Milling Co. v. Louisiana, &c., R. Co., 98 S. W. 374, 1688a
Halloran v. New York, &c., Co., 2 E. D. Smith, 257, 1180, 1209
Hallowell, &c., Bank v. Hamlin, 14 Mass. 178, 285
Halsey v. Lehigh Valley R. Co., 45 N. J. Law, 26, 1048
v. Rapid Transit Ry. Co., 47 N. J. Eq. 380, 8, 1096r
v. Warden, 25 Kan. 128, 1426
Halsted v. Straus, 32 Fed. R. 279, 555
Halverson v. Minneapolis, &c., R. Co., 32 Minn. 88, 1184, 1190
v. Nisen, 3 Sawy. (U. S.) 562, 1317
v. Seattle Elec. Co., 35 Wash. 600, 1096bv
Ham v. Delaware, &c., R. Co., 142 Pa. St. 617, 1637
v. Delaware, &c., Canal Co., 155 Pa. St. 548, 1251
v. Georgia, &c., R. Co., 97 Ga. 411, 1584
v. Salem, 100 Mass. 350, 953, 1036
v. Wisconsin, &c., R. Co., 61 Iowa, 716, 330, 987, 992, 995
Haman v. Omaha, &c., R. Co., 35 Neb. 74, 1638
Hamann v. Milwaukee, &c., Co., 106 N. W. 1081, 1351
Hambelton v. Glenn, 72 Md. 351, 183
Hamblin v. Chicago, &c., R. Co., 43 Fed. R. 401, 655
v. Western, &c., Co., 147 U. S. 531, 798
Hamburg, &c., Packet Co. v. Gattman, 127 Ill. 598, 1649, 1650
Hamden v. New Haven, &c., Co., 27 Conn. 158, 948a
Hamer v. Sears, 81 Ga. 288, 1049
Hamill v. Pennsylvania R. Co., 56 N. J. L. 370, 1263
Hamilton v. Annapolis, &c., R. Co., 1 Md. 553, 393
v. Bordentown, &c., Co., 68 N. J. L. 85, 1096cm
v. Chattanooga, &c. R. Co., 3 Interst. Com. R. 482, 1686
v. Chattanooga, &c., R. Co., 3 Interst. Com. R. 19, 1682
v. Chicago, &c., R. Co., 103 Ia. 325, 1710
v. Clarion, &c., R. Co., 144 Pa. St. 34, 175
v. Delaware, &c., R. Co., 50 N. J. Law, 263, 1374
v. Des Moines, &c., R. Co., 36 Iowa, 31, 1449
v. Dunn, 22 Ill. 259, 1074
v. Fort Wayne, 73 Ind. 1, 1053
v. Gambell, 31 Ore. 328, 1060a
v. Grand Trunk R. Co., 23 U. C. Q. B. 600, 1495
v. Great Falls St. R. Co., 17 Mont. 334, 1096cw, 1585, 1773, 1831, 1842
v. Hannibal, &c., R. Co., 39 Kan. 56, 1373
v. Jones, 125 Ind. 176, 1361
v. Lubukee, 51 Ill. 415, 510
v. Maysville, &c., R. Co., 84 S. W. 778, 1050
v. Metropolitan St. R. Co., 114 Mo. App. 504, 1842
v. Missouri, &c., R. Co., 87 Mo. 85, 1188, 1197
v. Morgan, &c., Co., 42 La. Ann., 824, 1363
v. New York Central R. Co., 51 N. Y. 100, 1595, 1657
v. Newcastle, &c., Co., 9 Ind. 359, 204, 210, 480
v. Pittsburgh, &c., R. Co., 190 Pa. St. 51, 997
v. Railroad Co., 119 U. S. 280, 980a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hamilton v. St. Louis, &c., R. Co., 118 Fed. 92, 1382
v. Savannah, &c., Ry. Co., 49 Fed. Rep. 412, 95, 430
v. State, 30 Fla. 229, 731
v. State, 115 Ind. 64, 893a
v. Texas, &c., R. Co., 64 Tex. 251, 1256
v. Third Ave. R. Co., 53 N. Y. 25, 1595
v. Vicksburg, &c., R. Co., 34 La. Ann. 970, 41
v. Wabash, &c., R. Co., 80 Mo. App. 597, 1512
v. West, &c., R. Co., 163 Mass. 199, 1584
v. Western, &c., R. Co., 96 N. Car. 398, 1423, 1459, 1478, 1503, 1745
Hamilton Ave., In re, 14 Barb. 405, 32, 967
Hamilton Gaslight, &c., R. Co. v. City of Hamilton, 146 U. S. 258, 652
Hamilton St. R., &c., Co. v. Hamilton, &c., Co., 5 Ohio Cir. Ct. R. 319, 632
Hamilton, &c., Hydraulic Co. v. Cincinnati, &c., R. Co., 29 Ohio St. 341, 378
Hamilton, &c., Traction Co. v. Hamilton, &c., Co., 69 Ohio St. 402, 1082, 1083, 1096t
Hamilton, &c., Co. v. Iowa, &c., Co., 88 Iowa, 364, 171
v. Rice, 7 Barb. (N. Y.) 157, 102, 103
Hamlin v. European & N. A. Ry. Co., 72 Me. 83, 497
v. Great Northern R. Co., 1 H. & N. 408, 1693
v. Jerrard, 72 Me. 62, 334, 336, 495, 498
v. Kassafer, 15 Ore. 456, 246
v. Meadville, 6 Neb. 227, 876
v. Southern, &c., R. Co., 76 Miss. 410, 922, 1076
v. Toledo, &c., R. Co., 78 Fed. 664, 81, 82
Hammans v. Great Western, &c., R. Co., 4 R. & Canal Traf. Cas. 181, 1686
Hammersmith, &c., R. Co. v. Brand, L. R. 4 H. L. Cas. 171, 996
Hammett v. Linnemann, 48 N. Y. 399, 1414
v. Little Rock, &c., Co., 20 Ark. 204, 55, 1689h
v. Philadelphia, 65 Pa. 146, 781, 950
Hammock v. Farmers' L. & T. Co., 105 U. S. 77, 494, 530, 559
Hammond, The Maggie, 9 Wall. 435, 1455
Hammond's Appeal, 123 Pa. St. 503, 277
Hammond v. Anderson, 1 B. & P. N. R. 69, 1543
v. Beeson, 112 Mo. 190, 1061, 1062
v. Chicago, &c., R. Co., 43 Iowa, 168, 1200
v. Edison, &c., Co., 131 Mich. 79, 87
v. Hastings, 134 U. S. 401, 79, 99, 101
v. Northeastern, &c., R. Co., 6 So. Car. 130, 1578
v. Port Royal, &c., R. Co., 15 So. Car. 10, 416, 526, 939, 941, 943, 946, 1247c
v. Port Royal, &c., R. Co., 16 S. C. 573, 420
Hammond v. Sioux City, &c., R. Co., 49 Iowa, 450, 1209
v. Straus, 53 Md. 1, 17, 19
Hammond Co. v. Mason, 12 Ind. App. 469, 1298a
Hammond, &c., Elec. R. Co., v. Spyzehalski, 17 Ind. App. 1, 1096ck, 1096cw
Hampden, &c., Co. v. Springfield, &c., R. Co., 124 Mass. 118, 985
Hampe v. Mt. Oliver I. R. Co. (Pa. Com. Pl.) 24 Pittsburgh Leg. J. (N. S.) 330, 447
v. Pittsburg, &c., Co., 165 Pa. St. 468, 435, 447
Hampel v. Detroit, &c., R. Co., 138 Mich. 1, 1174
Hampson v. Weare, 66 Am. Dec. 116, 621
v. Weare, 4 Iowa, 13, 180
Hampton v. Norfolk, &c., R. Co., 120 N. Car. 534, 1783
Hamsher v. Hamsher, 132 Ill. 273, 392, 397
Hance v. Cayuga, &c., R. Co., 26 N. Y. 428, 1198, 1203
v. Pacific Exp. Co., 48 Mo. App. 179, 1719
v. Wabash, &c., R. Co., 56 Mo. App. 476, 1438
v. Wabash, &c., R. Co., 1 Mo. App. R. 719, 1692
Hancock v. Chicot County, 32 Ark. 575, 875, 876, 882, 885
v. Holbrook, 112 U. S. 229, 655
v. Holbrook, 9 Fed. R. 353, 237, 608
v. Louisville, &c., R. Co., 145 U. S. 409, 323, 446, 447, 868, 869, 873, 878, 1565, 1670
v. Norfolk, &c., R. Co., 124 N. Car. 222, 1357
v. Toledo, &c., R. Co., 11 Biss. (U. S.) 148, 532
v. Yaden, 121 Ind. 366, 665, 837
Hancock National Bank v. Ellis, 172 Mass. 39, 184
Hancock, &c., Ins. Co. v. Worcester, &c., R. R. Co., 149 Mass. 214, 333
Hand v. Ballou, 12 N. Y. 542, 688
v. Baynes, 4 Whart. (Pa.) 204, 1440, 1457, 1473, 1515, 1555, 1692, 1738
v. Clearfield, &c., Co., 143 Pa. St. 408, 340
v. Dexter, 41 Ga. 454, 550
v. Savannah, &c., R. Co., 12 S. Car. 314, 27, 29, 515
v. Savannah, &c., R. R. Co., 17 S. Car. 219, 487, 525, 590, 591, 596
v. Savannah, &c., R. Co., 10 S. C. 406, 590
Handelun v. Burlington, &c., R. Co., 72 Iowa, 709, 1355, 1689f, 1697
Hand Gold Min. Co. v. Parker, 59 Ga. 419, 952, 953
Handley v. Stutz, 139 U. S. 417, 87, 88, 90 110, 164, 175, 484
Handy v. Cleveland, &c., R. Co., 31 Fed. R. 689, 586
Hanes v. North Carolina, &c., R. Co., 109 N. Car. 490, 1041, 1045
Haney v. Pittsburgh, &c., R. Co., 38 W. Va. 570, 1328
Hang v. Railway Co., 8 N. Dak. 23, 1628a
Hangen v. Chicago, &c., R. Co., 3 S. Dak. 394, 1702

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hankins v. Kimball, 57 Ind. 42, 934
v. New York, &c., R. Co., 142 N. Y. 416, 1276, 1316, 1322
Hankinson v. Railroad Co., 41 S. Car. 20, 1151a
Hanks v. Boston, &c., R. Co., 147 Mass. 495, 1112, 1154
Hanley v. Ft. Dodge, &c., Co. (Ia.,) 107 N. W. 593, 1096cl
v. Kansas City, &c., R. Co., 187 U. S. 617, 690, 764, 1671
v. West Virginia, &c., R. Co., 53 S. E. 625, 1299, 1368
Hanlin v. Chicago, &c., R. Co., 61 Wis. 515, 949, 1087, 1096
Hanlon v. Illinois, &c., R. Co., 109 Ia. 136, 1598
v. Milwaukee, &c., R. Co., 118 Wis. 210, 1096ch
v. South Boston, &c., R. Co., 129 Mass. 310, 711, 1095, 1096cb, 1096ce
Hanna v. Cincinnati, &c., R. R. Co., 20 Ind. 30, 45, 325, 327
v. Grand Trunk R. Co., 41 Ill. App. 116, 623, 1366
v. Hanna, 89 N. Car. 68, 558
v. Jeffersonville, &c., R. Co., 32 Ind. 113, 1370, 1373
v. Metropolitan St. R. Co., 81 Mo. App. 78, 1096a
v. Nassau El. R. Co., 18 App. Div. 137, 1096da
v. Phelps, 7 Ind. 21, 1471
v. Philadelphia, &c., R. Co., 213 Pa. St. 157, 1701
v. Terre Haute, &c., R. Co., 119 Ind. 316, 1203, 1209
Hannah v. Connecticut, &c., R. Co., 154 Mass. 529, 1314
v. Metropolitan St. R. Co., 81 Mo. App. 78, 6, 1096bn
v. Moberly Bank, 67 Mo. 678, 626
v. People, 198 Ill. 77, 1662c
Hannaher v. St. Paul, &c., R. Co., 5 Dak. 1, 1057, 1[illegible]24
Hannauer v. Doane, 12 Wall. 342, 1663
Hannewinkle v. Georgetown, 15 Wall. 547, 751
Hannibal v. Fauntleroy, 105 U. S. 408, 900, 918
v. Hannibal & St. Jo. R. Co., 49 Mo. 480, 966, 1098, 1116
Hannibal Bridge Co. v. Schaubacker, 49 Mo. 555, 978, 1045
Hannibal, &c., R. Co. v. Crane, 102 Ill. 249, 621, 624
v. Fox, 31 Kan. 587, 1276, 1316, 1318
v. Frowein, 163 Mo. 1, 939
v. Husen, 95 U. S. 465, 667, 774
v. Kanaley, 39 Kan. 1, 1315b, 1322
v. Kenney, 41 Mo. 271, 1180, 1209
v. Martin, 111 Ill. 219, 1579, 1589, 1630, 1844
v. Martin, 11 Ill. App. 386, 1635
v. Moore, 45 Mo. 443, 808
v. Morris, 79 Mo. 367, 1185
v. Morton, 27 Mo. 317, 1018, 1025
v. Muder, 49 Mo. 165, 393, 415, 954, 960, 966, 1027, 1039, 1104
v. Rowland, &c., R. Co., 29 Mo. 337, 1045
v. Rutledge, 78 Mo. 286, 1185
v. Shacklett, 30 Mo. 550, 76, 744
v. Smith, 41 Mo. 310, 927
v. Smith, 9 Wall. 95, 793, 796
Hannibal, &c., R. Co. v. Swift, 12 Wall. 262, 1394, 1396, 1405, 1466, 1471, 1475, 1574, 1647, 1649, 1654
Hannibal, &c., Co. v. Marion County, 36 Mo. 294, 369, 613, 882, 900
v. State Board, 64 Mo. 294, 771
Hanover Junction, &c., R. Co. v. Haldeman, 82 Pa. St. 36, 20, 106, 111a, 115
Hanover R. Co. v. Coyle, 55 Pa. St. 396, 477, 1808
Hanrahan v. Manhattan, &c., R. Co., 53 Hun, 420, 1590
Hanrathy v. Northern, &c., R. Co., 46 Md. 280, 1316, 1697
Hanrick v. Hanrick, 153 U. S. 192, 645, 651
Hans v. Louisiana, 134 U. S. 1, 806
Hansberger v. Sedalia Elec. R. Co., 82 Mo. App. 566, 1815
Hansee v. Brooklyn Elev. R. Co., 66 Hun (N. Y.), 384, 1773
Hansen v. Flint, &c., R. Co., 73 Wis. 346, 303, 364, 1416, 1435, 1437
v. North Jersey St. R. Co., 64 N. J. L. 686, 1096cr
v. Southern Pac. R. Co., 105 Cal. 379, 1154
Hansford v. Payne, 11 Bush, 380, 1361, 1375
Hansley v. Jamesville, &c., R. Co., 115 N. Car. 602, 1575
Hanson v. Chicago, &c., R. Co., 94 Iowa, 409, 1176
v. Dexter, 36 Me. 516, 263
v. European, &c., R. Co., 62 Me. 84, 1638, 1802
v. Hammiel, 107 Ia. 171, 1304
v. Henderson, 107 N. W. 670, 1828
v. Manchester, &c., St. R. Co., 73 N. H. 395, 1096bs
v. Mansfield, &c., R. Co., 38 La. Ann. 111, 1581, 1585, 1632, 1643
v. Urbana, &c., St. R. Co., 75 Ill. App. 474, 1096dc
Happy v. Mosher, 48 N. Y. 313, 1019
Harbach v. Des Moines, &c., R. Co., 80 Iowa, 593, 630, 1096
Harben v. Phillips, L. R. 23 Ch. D. 14, 162
Harbershon's Case, L. R. 5 Eq. 286, 137
Harbert v. Atlantic, &c., R. Co., 74 S. Car. 13, 1114c
Harbison v. Metropolitan R. Co., 9 App. D. C. 60, 1096cz
Harby v. Southern R. Co., 75 S. Car. 34, 1520
v. Southern R. Co., 75 S. Car. 321, 1556a
v. Southern R. Co., 55 S. E. 760, 1555
Harcourt v. Good, 39 Tex. 455, 814
Hard v. Vermont, &c., R. Co., 32 Vt. 473, 1298, 1316, 1323
Harcastle v. South Yorkshire, &c., R. Co., 4 Hurl. & N. 67, 195
Hardee v. Sunset Oil Co., 56 Fed. R. 51, 550
Harden v. North Carolina R. Co., 129 N. C. 354, 467, 472
Hardenbergh v. VanKeuren, 16 Hun (N. Y.), 17, 836
Hardenburgh v. Van Keuren, 4 Abb. (N. Y. N. Cas.) 43, 843
Hardin v. Ft. Worth, &c., R. Co., 100 S. W. 995, 1629
v. Iowa, &c., Co., 78 Ia. 726, 262, 515

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Harding v. American, &c., Co., 182 Ill. 551, 164, 385
v. Biggs, 172 Mass. 590, 926
v. Boston, 163 Mass. 14, 1064
v. Goodlett, 3 Yerg. (Tenn.) 41, 963, 1096g
v. New York, &c., R. Co., 36 Hun (N. Y.), 72, 1823
v. People, 160 Ill. 459, 1336
Rockford, &c., R. Co., 65 Ill. 90, 828, 850, 859a, 872
v. Townsend, 43 Vt. 536, 1805
v. Vandewater, 40 Cal. 77, 164, 262
Hardman v. Brett, 37 Fed. 803, 1730
v. Wilcock, 9 Bing. 382, 1426
Hardon v. Newton, 14 Blatchf. (U. S.) 376, 608
Hards v. Platte Valley, &c., Co., 35 Neb. 263, 115
Hardwick v. Georgia, &c., R. Co., 85 Ga. 507, 1644, 1696
v. Hook, 8 Ga. 354, 565, 568
v. Kean, 95 Ky. 563, 652, 653
Hardy v. Atchison, &c., R. Co., 32 Kan. 698, 958
v. Carolina, &c., R. Co., 76 N. Car. 5, 1268
v. Delaware, &c., R. Co., 57 N. J. L. 505, 1320
v. McClellan, 53 Miss. 507, 556, 559, 560
v. McKinney, 107 Ind. 364, 1053
v. Merriweather, 14 Ind. 203, 110
v. Milwaukee R. Co., 89 Wis. 183, 1800
v. Minneapolis, &c., R. Co., 86 Fed. 657, 1807
v. North Carolina, &c., R. Co., 74 N. Car. 734, 1584
Hare v. Horton, 5 Barn. & Ad. 715, 497
v. Kennerly, 83 Ala. 608, 782
v. London, &c., R. Co., 2 J. & H. 80, 366, 1675
Hargis v. Kansas City, &c., R. Co., 100 Mo. 210, 401, 938, 946b, 948, 949
v. St. Louis, &c., R. Co., 75 Tex. 23, 1096cn
Hargreaves v. Kimberly, 26 W. Va. 787, 1057d
Harker v. Burlington, &c., R. Co., 88 Iowa, 409, 1267, 1292
Harkins v. Philadelphia R. Co., 15 Phila. 286, 1368
v. Pittsburg, &c., R. Co., 173 Pa. St. 149, 1096ce
v. Sugar Refinery, &c., Co., 122 Mass. 400, 1342
Harknes v. Manhattan R. R. Co., 54 N. Y. Super. Ct. 174, 310
Harkness v. District, 1 McArthur (D. C.), 121, 751
v. Hyde, 98 U. S. 476, 798
Harkrader v. Wadley, 172 U. S. 165, 654
Harlam v. Galena, &c., R. Co., 64 Ill. 353, 994
Harlan v. Logansport, &c., R. Co., 133 Ind. 323, 412
v. St. Louis, &c., R. Co., 65 Mo. 22, 1156, 1161
Harland v. Bankers', &c., Tel. Co., 33 Fed. R. 199, 512
Harlem v. Holy Terror, &c., Co., 16 S. Dak. 261, 1377
Harless v. Missouri Elec. R. Co., 99 S. W. 793, 1817
Harley v. Buffalo, &c., Co., 142 N. Y. 31, 1274
Harley v. Louisville, &c., R. Co., 57 Fed. 144, 1317, 1689h
Harlin v. Logansport, &c., R. Co., 133 Ind. 323, 416
Harlow v. Marquette, &c., Railroad Co., 41 Mich. 336, 629, 949, 1008
Harman v. Cundiff, 82 Va. 239, 1803
v. Southern R. 72 S. Car. 228, 934a, 949
Harmon v. Birchard, 8 Bikf. 418, 1019
v. Chicago, 110 Ill. 400, 1080
v. Chicago, 140 Ill. 374, 690, 1673
v. Columbia, &c., R. Co., 28 S. Car. 401, 430, 431, 467, 473
v. New York, &c., R. Co., 28 Barb. (N. Y.) 323, 1416, 1422
v. Page, 62 Cal. 448, 182
Harmony v. Bingham, 12 N. Y. 99, 1456, 1457, 1555
v. Bingham, 1 Duer (N. Y.), 209, 1425, 1473
Harned v. Missouri Pac. R. Co., 51 Mo. App. 482, 1512
Harnees v. Chesapeake, &c., 1 Md. Ch. 248, 950, 979, 986, 1033, 1039, 1048, 1050
Harney v. Indianapolis R. Co., 32 Ind. 244, 814, 820
Harold v. New York, &c., R. Co., 24 Hun (N. Y.), 184, 1827
Harp v. Choctaw, &c., R. Co., 118 Fed. 169, 1466, 1468
v. Southern R. Co., 119 Ga. 927, 1594
v. The Grand Era, 1 Woods (C. C.), 184, 1445, 1451
Harpending v. Munson, 91 N. Y. 650, 529, 535
Harper v. Cincinnati, &c., Co. (Ky.) 22 S. W. 849, 358
v. Lexington, &c., R. Co., 2 Dana (Ky.), 227, 1018, 1020, 1021, 1040, 1044
v. Newport, &c., R. Co., 90 Ky. 359, 468, 477
v. Norfolk R. Co., 36 Fed. R. 102, 1371, 1697, 1768
v. Philadelphia Trac. Co., 175 Pa. St. 129, 1096ce, 1402
v. Union, &c., Co., 100 Ill. 225, 188
Harr v. New York, &c., R. Co., 114 N. Y. 623, 1272
Harrell v. Mexico, &c., Co., 73 Tex. 612, 626
v. Wilmington & W. R. Co., 106 N. Car. 258, 303, 1406
Harrigan v. Chicago, &c., R. Co., 53 Ill. App. 344, 1702
Harrington v. McShane, 2 Watts (Pa.), 443, 1401b
Harrill v. Southern R. Co., 57 S. E. 383, 1670
Harriman, The, 9 Wall. 161, 1473
Harriman v. Northern Security Co., 197 U. S. 244, 367
v. Railway Co., 45 Ohio St. 11, 1154, 1252, 1259, 1260, 1265, 1306, 1333b
v. Southam, 16 Ind. 190, 409
v. Southern R. Co., 111 Tenn. 538, 1102
v. Stowe, 57 Mo. 93, 231
Harrington v. Chicago, &c., R. Co., 71 Mo. 384, 1200
v. Erie R. Co., 79 App. Div. (N. Y.) 26, 1792
v. Iowa Cent. R. Co., 126 Ia. 388, 996d, 1091

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Harrington v. Plainview, 27 Minn. 224, 849, 895, 900
v. St. Paul, &c., R. Co., 17 Minn. 215, 944, 1008, 1025, 1049, 1055, 1087
v. Worcester, &c., R. Co., 157 Mass. 579, 1700
Harris v. Balfour Quarry Co., 137 N. Car. 204, 1768
v. Balk, 198 U. S. 215, 29, 624, 627
v. Cheshire R. Co., 16 Atl. 512, 1445
v. Cockermouth, &c., R. Co., 3 C. B. (N. S.) 693, 1678
v. Cockermouth, &c., R. Co., 1 Nev. & McN. 97, 1676, 1677
v. Costar, 1 C. & P. 636, 1535
v. Davis, 44 Fed. R. 172, 534
v. Dennie, 3 Peters (U. S.), 292, 1570
v. Detroit City R. Co., 76 Mich. 227, 1689l
v. Grand Trunk Ry., 15 R. I. 371, 1435, 1436, 1438
v. Grand Trunk Railway, 13 R. I. 572, 1435
v. Great Western Railway Co., L. R. 1 Q. B. Div. 515, 1494, 1661
v. Gulf, &c., R. Co., 36 Tex. Civ. App. 94, 1096cy
v. Hannibal, &c., R. Co., 37 Mo. 307, 1689d
v. Hannibal, &c., R. Co., 89 Mo. 233, 1582, 1629, 1633
v. Howe, 74 Tex. 534, 1658
v. Howes, 75 Me. 436, 1041
v. Louisville, &c., R. Co., 35 Fed. R. 116, 1265
v. Macomb, 213 Ill. 47, 1096am
v. Marblehead, 10 Gray (Mass.), 40, 1055
v. McGregor, 29 Cal. 124, 18, 190
v. Midland R. Co., 25 W. R. 63, 1548
v. Mississippi Valley R. Co., 51 Miss. 602, 48, 51, 606
v. Muskingum, &c., Co., 4 Blatchf. 267, 237, 256
v. Northern, &c., R. Co., 20 N. Y. 232, 1480, 1550, 1553, 1720
v. Packwood, 3 Taunt. 264, 1465, 1560
v. Panama, &c., R. Co., 58 N. Y. 660, 1218
v. Pittsburgh, &c., R. Co., 32 Ind. App. 600, 1628
v. Pratt, 17 N. Y. 249, 1429, 1539, 1543
v. Rand, 4 N. H. 259, 1455
v. Roberts, 12 Neb. 631, 387
v. Shaw, 13 Ill. 456, 419
v. Southern R. Co., 76 S. W. 151, 1255
v. State, 14 Lea (Tenn.), 485, 730
v. Stevens, 31 Vt. 79, 200, 1256
v. Stevens, 7 N. H. 454, 306
v. Tenney, 85 Tex. 254, 1539a, 1543
v. Twenty Second St., &c., R. Co., 1 Pa. Dist. 506, 1096q
v. Union Pac. R. Co., 13 Fed. R. 591, 1636
v. Woodstock, 27 Conn. 567, 1039
v. Youngstown Bridge Co., 93 Fed. 355, 1075
v. Youngstown, &c., Co., 90 Fed. 323, 1075
Harris, &c., R. Co., In re, 3 C. B. N. S. 693, 636
Harrisburg, The, 119 U. S. 199, 1359, 1373
Harrisburg v. Harrisburg, &c., R. Co., 1 Pears (Pa.), 298, 1092
Harrisburg, &c., R. Co. v. Harrisburg, 149 Pa. St. 465, 1081, 1096p
Harrison v. Alabama, &c., R. Co., 144 Ala. 246, 1379
v. Annapolis, &c., R. R. Co., 50 Md. 490, 373, 492
v. Arkansas Valley Ry. Co., 4 McCrary (U. S.), 264, 110, 329, 334
v. Boydell, 6 Sim. 211, 584
v. Central, &c., R. Co., 31 N. J. Law, 293, 1317
v. Collins, 86 Pa. St. 153, 1063
v. Detroit, &c., R. Co., 79 Mich. 409, 1318, 1318a, 1324
v. Fink, 42 Fed. R. 787, 1637, 1638
v. Harrison, 2 Atk. 121, 94
v. Hughes, 125 Fed. 860, 1057c
v. Iowa Midland R. Co., 36 Iowa, 323, 1037, 1038
Harrison v. Kansas City, &c., Co., 50 Mo. App. 332, 213, 303
Harrison v. Lexington, &c., R. Co., 9 B. Mon. 470, 400, 931
v. London, &c., R. Co., 2 Best & S. 122, 1510
v. Maxwell, 44 N. J. L. 316, 568
v. Mexican R. Co., 44 L. & J. (Ch.) 403, 82
v. Mexican R. Co., L. R. 19 Eq. Cas. 358, 82, 321
v. Midland R. Co., 62 L. J. Q. B. 225, 1566
v. Missouri Pacific R. Co., 74 Mo. 364, 216, 303, 1218, 1456, 1503, 1689c, 1771
v. Mt. Auburn Cable Ry. Co. (Ohio) 17 W. L. Bull. 265, 9
v. New Orleans, &c., Co., 28 La. Ann. 777, 342, 1087, 1729
v. Pennsylvania R. Co., 145 Mich. 712, 1689l
v. Remington, &c., Co., 140 Fed. 385, 109, 155, 185
v. Texas, &c., R. Co., 31 S. W. 242, 1315c
v. Union Pacific R. Co., 13 Fed. R. 522, 89, 481
v. Vines, 46 Tex. 15, 78
v. Waterberry, &c., Co. (Tex.) 27 S. W. 109, 563
v. Young, 9 Ga. 359, 32, 1035, 1036
Harrison Granite Co. v. Pennsylvania R. Co., 108 N. W. 1081, 1466
Harrod v. Hamer, 32 Wis. 162, 19, 186
Harrold v. Winona, &c., R. Co., 47 Minn. 17, 1638, 1844
Harshbarger v. Midland R. Co., 131 Ind. 177, 1000, 1003
Harshman v. Bates Co., 92 U. S. 569, 325, 818, 863, 886, 895, 896
v. Knox County, 122 U. S. 306, 918
Harshamn v. Northern Pac. R. Co., 103 N. W. 412, 1359
Hart's Appeal, 96 Pa. St. 355, 1065
Hart v. Allen, 2 Watts (Pa.), 114, 1457, 1478
v. Baxendale, 16 L. T. (N. S.) 390, 1466
v. Boston, &c., R. Co., 40 Conn. 524, 27, 49, 339, 610
v. Buckner, 54 Fed. R. 925, 630, 1090, 1096k
v. Charlotte, &c., R. Co., 33 S. Car. 427, 473, 1820

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hart v. Chicago, &c., R. Co., 69 Iowa, 485, 690, 1438, 1439, 1499, 1549, 1550, 1627, 1669
v. Chicago, &c., R. Co., 24 Iowa, 412, 1670
v. Chicago, &c., R. Co., 56 Iowa, 166, 1264
v. Cole, 156 Mass. 475, 1249
v. Eastern U. Ry. Co., 7 Exchq. 246, 488, 492, 496, 504
v. Hyde, 5 Vt. 328, 1705
v. Lauman, 29 Barb. (N. Y.) 410, 1059, 1060
v. Naumburg, 123 N. Y. 641, 1307
v. Neillsville, 125 Wis. 546, 1689e
v. Ogdensburg, &c., R. Co., 69 Hun (N. Y.), 378, 482
v. Pennsylvania Co., 112 U. S. 331, 1454, 1500, 1507, 1510, 1545
v. Piedmont, &c., R. Co., 52 W. Va. 396, 425
v. Railroad Co., 112 U. S. 331, 1401
v. Rensselaer, &c., R. R. Co., 8 N. Y. 37, 324, 1441, 1445, 1447, 1658
v. St. Charles St. R. R. Co., 30 La. Ann. Pt. 1, 758, 87
v. Spaulding, 1 Cal. 213, 1734
v. State, 15 Tex. App. 202, 1700
v. Ten Eyck, 2 Johns. Ch. 62, 94
v. Western, &c., R. Co., 13 Metc. 99, 1222, 1223, 1233
Hartan v. Eastern R. Co., 114 Mass. 44, 1435, 1596
Harter v. Atchison, &c., R. Co., 55 Kan. 250, 1702
v. Chicago, &c., R. Co., 114 Ia. 330, 735
v. Colfax, &c., Co., 124 Ia. 500, 1096cm
v. Kernochan, 103 U. S. 562, 647, 847, 886
Hartfield v. Roper, 34 Am. Dec. 273, 1642
v. Roper, 21 Wend. (N. Y.) 615, 1262
Hartigan v. Southern, &c., R. Co., 86 Cal. 142, 1375, 1376
Hartford v. Northern Pac. R. Co., 91 Wis. 374, 1352
v. Talcott, 48 Conn. 525, 711
Hartford B. Co. v. Union Ferry Co., 29 Conn. 210, 32
Hartford Fire Ins. Co. v. Chicago, &c., R. Co., 70 Fed. Rep. 201, 1235, 1236, 1645
v. Owen, 30 Mich. 441, 621
Hartford Ins. Co. v. Raymond, 70 Mich. 485, 29
Hartford L. Ins. Co. v. Chicago, &c., R. Co., 175 U. S. 91, 400, 427, 1236
Hartford, &c., R. Co., Matter of, 65 How. (N. Y.) Pr. 133, 972
Hartford, &c., R. Co. v. Boorman, 12 Conn. 530, 178
v. Croswell, 5 Hill (N. Y.), 383, 45, 155
v. Kennedy, 12 Conn. 499, 149, 150, 155, 169
v. New York, &c., R. Co., 3 Robt. (N. Y.) 411, 356, 374
v. Wagner, 73 Conn. 506, 1029
Hartley v. Keokuk, &c., R. Co., 85 Iowa, 455, 937, 1010
Hartman v. Belleville, &c., R. Co., 64 Ill. 24, 1053
v. Chicago, &c., R. Co., 110 N. W. 10, 1150, 1151
v. Grennhow, 102 U. S. 672, 769, 806
v. Ins. Co., 32 Gratt. (Va.) 242, 613
v. Kloeppinger, 9 Ohio C. C. 433, 1301
v. Louisville, &c., R. Co., 39 Mo. App. 88, 1464, 1503, 1753
v. Pittsburgh, &c., R. Co., 159 Pa. St. 442, 1091
Hartman, &c., Co.'s Appeal (Pa.), 18 Atl. R. 553, 958, 1077
Hartridge v. Rockwell, R. M. Charleton (Ga.), 260, 95
Harts v. Brown, 77 Ill. 226, 169, 275, 276, 535
Hartshorn v. Burlington, &c., R. Co., 52 Iowa, 613, 992, 1006
v. Illinois Valley R. Co., 216 Ill. 392, 1038
v. Illinois, &c., T. Co., 210 Ill. 609, 952b, 1096bh, 1096bl, 1096bm
Hartung v. North Chicago, &c., R. Co., 102 Ill. App. 470, 1702
v. Witte, 59 Wis. 285, 420, 941
Hartwell v. Northern Pac. Exp. Co., 5 Dak. 463, 1417
Harty v. Central R. Co., 42 N. Y. 468, 1153, 1158, 1264, 1310
v. St. Louis, &c., R. Co., 95 Mo. 368, 1288, 1697
Hartz v. St. Paul, &c., R. Co., 21 Minn. 358, 1087
Harvard v. St. Clair, &c., Dist., 51 Ill. 130, 847
Harvard Co. v. Pennsylvania R. Co., 4 I. C. C. 212, 1678a
v. Pennsylvania Co., 3 Interst. Com. R. 257, 1678
Harvey v. Aurora, &c., R. Co., 174 Ill. 295, 6, 1096bm
v. Chicago, &c., R. Co., 116 Ill. App. 507, 1844
v. Chicago, &c., R. Co., 221 Ill. 242, 1839
v. Connecticut, &c., R. Co., 124 Mass. 421, 1729
v. Eastern, &c., R. Co., 116 Mass. 269, 1628
v. Lackawanna, &c., R. Co., 47 Pa. St. 428, 991, 995
v. Linville Imp. Co., 118 N. C. 693, 159
v. Lloyd, 3 Pa. St. 331, 1028
v. Louisiana, &c., R. Co., 114 La. Ann. 1065, 1248
v. Louisville, &c., R. Co., 5 Int. St. Com. R. 153, 1612
v. Mason City, &c., R. Co., 129 Ia. 465, 1057d
v. Mason, &c., R. Co., 105 N. W. 958, 1057
v. New York, &c., R. Co., 88 N. Y. 481, 1276, 1333a
v. New York, &c., R. Co., 57 Hun (N. Y.), 589, 1306
v. Railroad Co., 88 N. Y. 481, 1318
v. Rose, 26 Ark. 3, 1516
v. South Chester, 99 Pa. St. 565, 784
v. Tyler, 2 Wall. 328, 1019
v. Terre Haute, &c., R. Co., 74 Mo. 538, 1454, 1510, 1692

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Harvey v. Thomas, 10 Watts. (Pa.), 63, 4, 923
v. United States, 8 Ct. of Cl. 501, 1058
Harwell v. Columbus, &c., R. Co., 1 Interst. Com. Com. R. 236, 1682
Harwood v. Railroad Co., 17 Wall. (U. S.) 78, 529
Harzburg v. Southern R. Co., 65 S. Car. 539, 1651
Hasbrouck v. Milwaukee, 13 Wis. 37, 814, 862
Haseltine v. Concord R. Co., 64 N. H. 545, 1243a
Haselton v. Portsmouth, &c., R., 71 N. H. 589, 1579
Haskell v. Jones, 86 Pa. St. 173, 1670
v. New Bedford, 108 Mass. 208, 1096
v. Worthington, 94 Mo. 560, 111a
Haskett v. Boston, &c., R. Co., 35 N. H. 390, 1737
Haskins v. New York, &c., R. Co., 70 Hun, 155, 1296
v. Newcomb, 2 Johns. (N. Y.) 405, 713
Haslam v. Adams Ex. Co., 6 Bosw. (N. Y.) 235, 1401, 1522
v. Galena, &c., R. Co., 64 Ill. 353, 994, 995, 1017
Haslett v. New Albany, &c., R. Co., 7 Ind. App. 603, 1087
v. Wotherspoon, 1 Strobh. Eq. (S. Car.) 209, 17
Hass v. Chicago, &c., R. Co., 41 Wis. 44, 1160
v. Chicago, &c., R. Co., 97 Ill. App. 624, 1304
Hasse v. Express Co., 94 Mich. 133, 1530
Hasselman v. Japanese, &c., Co., 2 Ind. App. 180, 346, 606
v. U. S. Mortgage Co., 97 Ind. 365, 48
Hasson v. Oil Creek, &c., R. Co., 8 Phila. (Pa.) 556, 972
Hasting v. Southern R. Co., 143 Fed. 260, 1114, 1259
Hastings v. Amherst, &c., R. Co., 9 Cush. (Mass.) 596, 51, 930
v. Blue Hills, &c., Co., 9 Pick. (Mass.) 80, 97
v. Burlington, &c., R. Co., 38 Iowa, 316, 931, 1033, 1050
v. Drew, 76 N. Y. 9, 315, 600
v. Montana Un. R. Co., 18 Mont. 493, 1329
v. Northeastern R., 67 L. J. Ch. 590, 945
v. Pepper, 11 Pick. 41, 1420, 1455
Hastings Lumber Co. v. Garland, 115 Fed. 15, 1361a
Hastings, &c., R. Co. v. Ingalls, 15 Neb. 123, 1025, 1041
v. Whitney, 132 U. S. 357, 803
Hasty v. Sears, 157 Mass. 123, 1338
Haswell v. Vermont Central R. Co., 23 Vt. 228, 1053
Haszlacher v. Third Ave. R. Co., 26 Misc. (N. Y.) 865, 1773
Hatch v. Chicago, &c., R. Co., 6 Blatchf. (U. S. C. C.) 105, 647, 649, 654
v. Cincinnati, &c., R. Co., 18 Ohio St. 92, 931, 977, 996, 1033
v. Coddington, 95 U. S. 48, 286, 491
v. Dana, 101 U. S. 205, 146, 182, 183
v. Ferguson, 66 Fed. R. 668, 268
v. Hawkes, 126 Mass. 177, 1052
Hatch v. Johnson, &c., Co., 79 Fed. 828, 261
v. Minneapolis, &c., R. Co., 107 N. W. 1087, 1512, 1714
v. Minnesota, &c., Const. Co., 26 Minn. 451, 1058
v. Pullman, &c., Co., 84 S. W. 246, 1622
v. Railway Co., 212 Pa. St. 29, 1628a
v. Syracuse, &c., R. Co., 50 Hun (N. Y.), 64, 1096an, 1112
v. Tacoma, &c., R. Co., 6 Wash. 1, 978
v. Vermont Central R. Co., 25 Vt. 49, 937, 995, 1005, 1057
v. Vermont Central R. Co., 28 Vt. 142, 976, 1087
Hatcher v. Toledo, &c., R. Co., 62 Ill. 477, 322, 334, 493, 520
Hatfield v. Central R. Co., 29 N. J. Law, 571, 1025
v. Cummings, 152 Ind. 280, 564
v. Phillips, 9 M. & W. 647, 1428, 1429
v. St. Paul, &c., R. Co., 33 Minn. 130, 1699
Hathaway v. Addison, 48 Me. 440, 265
v. East Tenn., &c., R. Co., 29 Fed. R. 489, 1163, 1702
v. Illinois Cent. R. Co., 92 Ia. 337, 1283, 1321, 1329
v. Michigan Cent. R. Co., 51 Mich. 253, 1279, 1290, 1296
v. Toledo, &c., R. Co., 46 Ind. 25, 1262, 1701
Hathorne v. Stinson, 12 Me. 183, 1057d
Hatry v. Painesville, &c., R. Co., 1 Ohio Cir. Ct. 426, 1048
Hatt v. Nay, 144 Mass. 186, 213, 1292
Hatter v. Illinois, &c., R. Co., 69 Miss. 642, 1296
Hattersley v. Earl of Shelburne, 10 Week. R. 881, 271
Haug v. Great Northern R. Co., 8 N. Dak. 23, 1637
Haugan v. Netland, 51 Minn. 552, 558
Haugen v. Ilbina, &c., Co., 21 Ore. 411, 1690
Haugh v. Chicago, &c., R. Co., 73 Iowa, 66, 1301
Haun v. Mulberry, &c., Road, 33 Ind. 103, 134, 137
Hause v. Judson, 4 Dana, 7, 1539
Hausen v. Southern Pac. R. Co., 105 Cal. 379, 1249
Hauser v. Central R. Co., 147 Pa. St. 440, 1702
Hausman v. Nye, 62 Ind. 485, 1426
Hausmann v. Trinity, &c., R. Co., 82 S. W. 1052, 1050
Haveghart v. Lindberg, 67 Ill. 463, 1075
Havemeyer v. Havemeyer, 11 J. & S. (N. Y.) 506, 92
v. Havemeyer, 86 N. Y. 618, 174
v. Superior Ct., 84 Cal. 327, 169, 552
Haven v. Adams, 4 Allen (Mass.), 80, 491
v. Emery, 33 N. H. 66, 497
v. Grand Junction R. R. Co., 109 Mass. 88, 486, 487
v. New Hampshire Asylum, 13 N. H. 532, 266
Haven, &c., Co., In re, L. R. 20 Ch. D. 151, 162
Havens v. Erie R. Co., 41 N. Y. 296, 1165
v. Erie R. Co., 53 Barb. (N. Y.) 328, 721, 1158

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Havens v. Railroad, 28 Conn. 69, 1602
v. Rhode Island, &c., R. Co., 26 R. I. 48, 1796
Haver v. Central R. Co., 62 N. J. L. 282, 1096dc, 1638
Haverly v. State Line, &c., R. Co., 135 Pa. St. 50, 1238
Hawcroft v. Railway, 8 Eng. L. Eq. 362, 1627a
Hawes v. Anglo-Saxon Petroleum Co., 101 Mass. 385, 180
v. Oakland, &c., Co., 104 U. S. 450, 165, 550, 620
v. O'Reilley, 126 Pa. St. 440, 1820
v. Southern R. Co., 73 S. Car. 274, 724
Hawk v. Pennsylvania Railway Co. (Pa. St.) 11 Atl. R. 459, 1296, 1301a
Hawker v. Baltimore, &c., R. Co., 15 W. Va. 628, 1206
Hawkes v. Eastern, &c., R. Co., 1 De G., M. & G. 737, 422, 935
Hawkins v. The Governor, 1 Ark. 570, 677
v. Board, &c., 50 Miss. 735, 827
v. Carroll County, 50 Miss. 735, 814, 849
v. Fall River, 119 Mass. 94, 1038
v. Front Street, &c., Co., 3 Wash. 592, 1644, 1822
v. Glenn, 131 U. S. 319, 144, 171, 180
v. Great Western R. Co., 17 Mich. 57, 1475, 1505
v. Hoffman, 6 Hill, 586, 1426, 1647, 1649
v. Mansfield, &c., Co., 52 Cal. 513, 177
v. Mercantile Trust Co., 96 Ga. 580, 497
v. Missouri, &c., R. Co., 36 Tex. Civ. App. 633, 1850
v. Missouri, &c., R. Co., 83 S. W. 52, 1783
v. Mitchell, 34 Fla. 405, 813
v. New York, &c., R. Co., 142 N. Y. 416, 1318a
v. Riley, 17 Mon. (Ky.) 101, 1802
v. Small, 7 Baxt. (Tenn.) 193, 330
Hawks v. Northampton, 116 Mass. 420, 1092
Hawkshaw v. Supreme Lodge, &c., 29 Fed. R. 770, 265
Hawley v. Brumagen, 33 Cal. 394, 78
v. Chicago, &c., R. Co., 71 Iowa, 717, 1298
v. Columbia, &c., R. Co., 25 App. D. C. 1, 1096bs
v. Gray Bros., &c., Co., 106 Cal. 337, 283, 286
v. Harrall, 19 Conn. 142, 1041
v. Hurd, 72 Vt. 122, 21
v. Kansas, &c., Co., 48 Kan. 593, 1565
v. Northern, &c., R. Co., 82 N. Y. 370, 1308
v. Screven, 62 Ga. 347, 1658
v. Upton, 102 U. S. 314, 78, 109, 157
Hawley, &c., In re, 2 De G. & S. 33, 1039
Hax v. Davis, &c., Co., 39 Mo. App. 453, 260, 263
Hay v. Cohoes Co., 2 N. Y. 159, 1057
v. People, 59 Ill. 94, 20
Hayburn's Case, 2 Dall. 409, 675
Hayden v. Davis, 3 McLean (U. S. Cir.) 276, 369
v. Fair Haven, &c., Co., 76 Conn. 355, 1096cp, 1801
Hayden v. Lincoln, &c., R. Co., 43 Neb. 680, 484
v. Middlesex Turnp. Co., 10 Mass. 397, 227, 352
v. Missouri, &c., R. Co., 124 Mo. 566, 1166, 1170
v. Noyes, 5 Conn. 391, 193
v. Official, &c., Co., 42 Fed. R. 875, 535
v. Platt, 84 Hun, 487, 1296
v. Skillings, 78 Me. 413, 632, 987
v. Smithville Manufacturing Co., 29 Conn. 548, 1292, 1307
v. Stoughton, 5 Pick. (Mass.) 528, 942
Haydon's Case, 3 Rep. (Coke) 7, 637
Hayes v. Campbell, 63 Cal. 143, 1408, 1507
v. Chicago, &c., R. Co., 45 Minn. 17, 1239
v. Chicago, &c., R. Co., 111 N. W. 471, 1829
v. Ferguson, 15 Lea (Tenn.), 1, 584
v. Heyer, 4 Sandf. Ch. (N. Y.) 485, 558
v. Holly Spring, 114 U. S. 120, 843, 845, 901
v. Houston, &c., R. Co., 46 Tex. 172, 1802, 1823
v. Michigan Cent. R. Co., 111 U. S. 228, 360, 711, 1082, 1155, 1183, 1270, 1584, 1697
v. Norcross, 162 Mass. 546, 1261
v. Northern Pac. R. Co., 74 Fed. 279, 468
v. Ottawa, &c., R. Co., 54 Ill. 373, 989, 995, 1005, 1038, 1051
v. Southern Pac. R. Co., 17 Utah, 99, 1700
v. Southern R. Co., 141 N. Car. 195, 1255, 1801
v. Todd, 34 Fla. 233, 653, 654
v. Wells, 23 Cal. 185, 1491
v. Western, &c., R. Co., 3 Cush. 270, 1300
v. Williams, 17 Colo. 465, 1361
Hayes, &c., Plate Co. v. St. Louis Transit Co., 137 Fed. 80, 1689e
Hayman v. Canadian Pac. R. Co., 43 Misc. (N. Y.) 74, 1531
v. Pennsylvania R. Co., 118 Pa. St. 508, 1590, 1639
Hayne v. Union St. R. Co., 189 Mass. 551, 1096dc, 1638
Haynes v. Brown, 36 N. H. 545, 108
v. East Tennessee, &c., R. Co., 3 Cold. 222, 1280, 1322
v. Raleigh, &c., Co., 114 N. Car. 203, 1261
v. Thomas, 7 Ind. 38, 981, 1085
v. Trenton, 123 Mo. 326, 1699
v. Wabash, &c., R. Co., 54 Mo. App. 582, 1548, 1551
v. Waterville, &c., Co., 101 Me. 335, 1096bo
Hays v. Branham, 36 Ind. 219, 145
v. Briggs, 74 Pa. St. 373, 923
v. Campbell, 17 Ind. 430, 1028
v. Commonwealth, 82 Pa. St. 518, 160
v. Dowes, 75 Mo. 250, 842
v. Fisher, 32 Pa. St. 169, 923
v. Franklin County Lumber Co., 35 Neb. 511, 150
v. Gainesville, &c., R. Co., 70 Tex. 602, 1095, 1096cb, 1096ce, 1155
v. Gallon, &c., Co., 29 Ohio St. 330, 369, 492, 493

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hays v. Kennedy, 3 Grant. Cas. (Pa.) 351, 1718
v. Kennedy, 41 Pa. St. 378, 1455, 1457, 1481
v. Lycoming, &c., Co., 99 Pa. St. 621, 182
v. Mouille, 14 Pa. St. 48, 1543a
v. Ottawa, &c., Co., 61 Ill. 422, 70, 103, 430, 488
v. Pacific Mail Steamship Co., 17 How (U. S.) 596, 755, 756, 1665
v. Pennsylvania, &c., Co., 12 Fed. R. 309, 200, 388, 1467, 1684
v. Pittsburgh, &c., R. Co., 38 Pa. St. 81, 134, 135
v. Riddle, 1 Sandf. (N. Y.) 248, 1572
v. Risher, 32 Pa. St. 169, 961, 970
v. Stone, 7 Hill. 128, 1692
v. Texas, &c., R. Co., 62 Tex. 397, 401, 998
v. Wabash R. Co., 119 Mo. App. 439, 222
v. Wells, Fargo Co., 23 Cal. 185, 1510
Hayter v. Brunswick Trac. Co., 66 N. J. L. 575, 1096da
Hayward v. Andrews, 106 U. S. 672, 510
v. Bath, 40 N. H. 100, 1046
v. Middleton, 3 McCord (S. Car.) 121, 1559, 1709
v. Nordberg Mfg. Co., 85 Fed. 4, 648
Haywood v. Lincoln Lumber Co., 64 Wis. 639, 550, 604
Haywood, &c., R. Co., v. Bryan, 6 Jones L. (N. Car.) 82, 106, 116
Hayworth v. Junction R. Co., 13 Ind. 348, 327
Hazard v. Chicago, &c., R. Co., 1 Biss. 503, 1629
v. Durant, 11 R. I. 195, 233, 281
v. Durant, 19 Fed. R. 471, 555, 570
v. Fiske, 83 N. Y. 287, 1428
v. Illinois, &c., R. Co., 67 Miss. 32, 1419, 1420, 1428, 1481, 1722
v. Vermont, &c., R. Co., 17 Fed. R. 753, 336
Hazard Powder Co. v. Volger, 58 Fed. 152, 1822
Hazel v. Chicago R. Co., 82 Iowa, 477, 1494, 1507
v. Peoples, &c., Co., 132 Pa. St. 96, 1096cn
Hazel Milling Co. v. St. Louis, &c., R. Co., 3 Interstate Com. R. 701, 1551
Hazelett v. Butler University, 84 Ind. 230, 45
Hazelrigg v. Bronaugh, 78 Ky. 62, 575
Hazeltine v. Belfast, &c., R. Co., 79 Me. 411, 81, 83, 314
Hazelton v. Portsmouth, &c., St. R. Co., 71 N. H. 589, 1096ct
Hazen v. Boston, &c., R. Co., 2 Gray (Mass.) 574, 949, 985, 987, 1005, 1007, 1022, 1049, 1049e, 1056, 1152
v. Emerson, 9 Pick. (Mass.) 144, 625
v. Essex Co., 12 Cush. (Mass.) 475, 964, 1048, 1050
Hazlehurst v. Savannah, &c., R. Co., 43 Ga. 13, 82, 95, 227, 241, 251, 369, 372, 384
Hazlett v. Sinclair, 76 Ind. 488, 420
Hazzard v. Heacock, 39 Ind. 172, 789
H. B. Pitts Co. v. St. Louis, &c., R. Co., 10 Int. Com. 684, 1684l
Heacock v. Sherman, 14 Wend. (N. Y.) 58, 185
Head v. Georgia Pac. R. Co., 79 Ga. 358, 1594, 1596, 1599a, 1801
v. Providence Ins. Co., 2 Cranch (U. S.) 127, 349, 369
Head Money Cases, 112 U. S. 580, 760, 763, 1358e
Heady v. Vevay, &c., Turnpike Co., 52 Ind. 117, 1039
Healey v. City, &c., R. Co., 28 Ohio St. 23, 1637, 1638
v. Prevost, 8 The Rep. 103, 647
Healy Lumber Co. v. Morris, 33 Wash. 490, 950
Heaney v. Long Island, &c., R. Co., 112 N. Y. 122, 1170, 1179
Heap v. Heap Manufacturing Co., 97 Mich. 147, 54
Heard v. Eldredge, 109 Mass. 258, 307
Heard v. Georgia R. Co., 3 Interst. Com. R. 111, 1665
Hearn v. St. Charles, &c., Co., 34 La. Ann. 160, 1095
Hearns v. Waterbury Hospital, 66 Conn. 98, 1388
Heaston v. Cincinnati, &c., R. R. Co., 16 Ind. 275, 102, 134, 138, 153, 190, 615, 616
Heath v. Barmore, 50 N. Y. 302, 426, 613
v. Des Moines, &c., R. Co., 61 Iowa, 11, 630, 1077, 1080, 1096, 1096h
v. Erie R. Co., 8 Blatchf. (U. S.) 347, 165
v. Missouri, &c., Ry. Co., 83 Mo. 617, 563, 571, 576, 606
v. Silverthorn, &c., Co., 39 Wis. 146, 164
v. Stewart, 90 Wis. 418, 1163
v. Texas, &c., R. Co., 37 La. Ann. 728, 937, 1056
Heathcote v. North Staffordshire R. Co., 6 Eng. R. & Canal Cas. 358, 1062
v. North Staffordshire R. Co., 20 L. J. Ch. 82, 642, 936
Heaton v. Cincinnati, &c., R. Co., 16 Ind. 275, 1689h
v. Morgan's &c., Co., 1 Tex. App. (Civ. Cases) 425, 1499
Heavener v. North Carolina R. Co., 141 N. Car. 245, 1250, 1849
Heavilon v. Farmers' Bank, 81 Ind. 249, 558
Heazle v. Indianapolis, &c., R. Co., 76 Ill. 501, 1634, 1831
Hebert v. Lake Charles, &c., Co., 111 La. Ann. 522, 1096cm
Hecht v. Ohio, &c., R. Co., 132 Ind. 507, 1370, 1375
Heck v. East Tennessee, &c., R. Co., 1 Interst. Com. R. 775, 1671
Hecker v. Oregon R. Co., 40 Ore. 6, 1850
v. Railway, 110 Mo. App. 162, 1628
Heckle v. Southern Pac. R. Co., 123 Cal. 441, 1689g, 1850
Heddles v. Chicago, &c., R. Co., 74 Wis. 239, 1153, 1157, 1850
v. Chicago, &c., R. Co., 77 Wis. 228, 1114, 1153, 1157, 1819

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Heddle v. City Elec. R. Co., 112 Mich. 547, 1689l
Hedges v. Dixon County, 150 U. S. 182, 872, 888, 890, 895, 898
v. Hudson River R. Co., 6 Robt. (N. Y.) 119, 1517
v. Hudson River R. Co., 49 N. Y. 223, 1517, 1527, 1528
v. Metropolitan R. Co., 28 Beav. 109, 1048
v. Paquett, 3 Ore. 77, 250, 271
v. Silver Hill, &c., Co., 9 Ore. 200, 179
v. West Shore R. Co., 150 N. Y. 150, 980a
Hedin v. City, etc., Co., 26 Ore. 155, 1095
Hedrick v. Ilwaco, &c., R. Co., 4 Wash. 400, 1375
Hedricks v. Steamship Morning Star, 18 La. Ann. 353, 1440
Heebe v. New Orleans, &c., R. Co., 110 La. Ann. 970, 1096cf
Heeney v. Sprague, 11 R. I. 456, 711
Heenrich v. Pullman, &c., Co., 20 Fed. R. 100, 213, 1618, 1638, 1640
Heer v. Warren-Scharf, &c., Co., 118 Wis. 57, 1809
Hefferen v. Southern Pac. R. Co., 45 Minn. 471, 1278a
Heffner v. Commonwealth, 28 Pa. St. 108, 643
Heffron v. Detroit City R. Co., 92 Mich. 406, 1096db, 1602
v. Gage, 149 Ill. 182, 506
v. Rice, 149 Ill. 216, 583, 584
Hefner v. Northwestern, &c., Co., 123 U. S. 747, 512
Hegan v. Eighth Ave. R. Co., 15 N. Y. 380, 1093, 1096aq
Hegeman v. Western R. Co., 16 Barb. (N. Y.) 353, 1644
v. Western, &c., R. Co., 13 N. Y. 9, 1472, 1587
Hegerich v. Kedure, 99 N. Y. 258, 1375
Hegerman v. Western R. Co., 13 N. Y. 9, 1096cu
Heggie v. People's, &c., Assn., 107 N. C. 581, 95
Heidecamp v. Jersey City, &c., R. Co., 69 N. J. L. 284, 1368
Heidelbaugh v. People's R. Co., 65 Atl. 587, 1778
Heidenbluth v. Rudolph, 152 Ill. 316, 1075
Heidritter v. Oilcloth Co., 112 U. S. 294, 553
Heil v. Glanding, 42 Pa. St. 493, 1801
v. St. Louis, &c., R. Co., 16 Mo. App. 363, 1694
Heilman v. Lebanon, &c., R. Co., 145 Pa. St. 23, 1088, 1096c
Heine v. Chicago, &c., R. Co., 58 Wis. 525, 1316
v. Levee Commissioners, 19 Wall. 655, 736, 918
Heineman v. Grand T. R. Co., 31 How. Pr. (N. Y.) 430, 1424, 1553
Heinge v. Adams, &c., Co., 81 Ky. 300, 36
Heinig v. Adams, &c., Co., 81 Ky. 300, 18
Heininger v. Great Northern, &c., R. Co., 59 Minn. 458, 1264
Heinlein v. Boston, &c., R. Co., 147 Mass. 136, 1248, 1256, 1590a
Heintz v. Caldwell, 16 O. C. C. 630, 1804
Heintz v. Mueller, 19 Ind. App. 240, 1689e
Heintzelman v. Druids', &c., Assn., 38 Minn. 138, 265
Heinz v. Railroad Transfer Co., 82 Mo. 233, 1539a, 1543
Heinzle v. Metropolitan St. R. Co., 182 Mo. 528, 1096cf, 1697
Heirn v. McCaughan, 32 Miss. 17, 1627a, 1694
Heise v. Pennsylvania R. Co., 62 Pa. St. 67, 926, 1024
Heiserman v. Burlington, &c., R. Co., 63 Iowa, 732, 1564, 1671
Heiter v. East St. Louis Connecting R. Co., 53 Mo. App. 331, 623, 1701
Helena, City of, v. Harvey, 6 Mont. 114, 1029
v. Rogan, 26 Mont. 452, 1014
Helena, &c., Co. v. Spratt, 146 Fed. 310, 646, 649, 650
Helfrich v. Ogden City R. Co., 7 Utah, 186, 1297, 1313, 1374
v. Williams, 84 Ind. 553, 1697, 1768
Hellebush v. Blake, 119 Ind. 349, 538, 560
Heller v. Abbot, 79 Wis. 409, 1210
v. Atchison, &c., R. Co., 28 Kan. 625, 1086
v. Chicago, &c., R. Co., 109 Mich. 53, 1545
v. National Marine Bank, 89 Md. 602, 83, 86
Helliwell v. Grand Trunk, &c., R. Co., 7 Fed. R. 68, 1475, 1478, 1487
Hellman v. Holladay, 1 Woolw. (C. C.) 365, 1649
Helm v. Chapman, 66 Cal. 291, 1066
v. Louisville, &c., R. Co. (Ky.) 33 S. W. 396, 1294
v. Louisville, &c., R. Co., 16 S. W. 125, 1168
v. Railroad Co., 98 Mo. App. 419, 1423
v. Swiggett, 12 Ind. 194, 98, 100
Helman v. Pittsburgh, &c., R. Co., 58 Ohio St. 400, 1689i
Helme v. Littlejohn, 12 La. Ann. 298, 568
Helmke v. Thilmany, 107 Wis. 216, 1315
Helmore v. Smith, 56 L. J. Ch. Div. 145, 575
Helton v. Alabama, &c., R. Co., 97 Ala. 275, 1365, 1814
v. St. Louis, K. & N. W. R. Co., 25 Mo. App. 322, 364, 1611
Heltzell v. Chicago, &c., R. Co., 77 Mo. 315, 621, 1071
Heman v. Britton, 14 Mo. App. 121, 291, 315, 426, 613
Hemingway v. Illinois, &c., R. Co., 114 Fed. 843, 1689g
Hemmens v. Nelson, 138 N. Y. 517, 1702
Hemmi v. Chicago, &c., R. Co., 102 Ia. 25, 1245a
Hemmingway v. Chicago, &c., R. Co., 72 Wis. 42, 1172, 1831
v. Chicago, &c., R. Co., 67 Wis. 608, 1628
Hemphill v. Buck Creek Lumber Co., 141 N. C. 487, 1, 1334
Hempstead v. New York, &c., R. Co., 28 Barb. 485, 1445, 1449
Henchey v. Chicago, 41 Ill. 136, 1376
Hendee v. Pinkerton, 14 Allen (Mass.), 381, 251, 358, 488, 491

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hendershott v. City of Ottumwa, 46 Iowa, 658, 1057
Henderson v. Central, &c., Co., 21 Fed. R. 358, 66, 931
v. Central Pass. R. Co., 20 Am. & Eng. Cas. 542, 1096r
v. Chicago, &c., R. Co., 43 Iowa, 620, 1185, 1200
v. Chicago, &c., R. Co., 48 Iowa, 216, 1137, 1200
v. Chicago, &c., R. Co., 39 Iowa, 220, 1200
v. Chicago, &c., R. Co., 73 Ill. App. 57, 1788
v. Durham Trac. Co., 132 N. Car. 779, 711
v. Greenfield, &c., St. R. Co., 172 Mass. 542, 1096cn
v. Hogan, 7 Ohio Dec. (Reprint) 173, 155
v. Indiana Trust Co., 143 Ind. 561, 110, 600, 603, 604
v. Jackson County, 2 McCrary (U. S.), 615, 836
v. Jackson County, 12 Fed. R. 676, 846
v. Kansas City, 177 Mo. 477, 1827
v. Kentucky, &c., R. Co., 86 Ky. 389, 1311
v. Lacon, L. R. 5 Eq. 249, 231
v. Lagow, 42 Ill. 360, 816
v. Louisville, &c., R. Co., 20 Fed. Rep. 430, 1624, 1654
v. Louisville, &c., R. Co., 123 U. S. 61, 1656a
v. Maid of Orleans, The, 12 La. Ann. 352, 1737
v. Mayor, 92 U. S. 259, 658, 667, 763, 774, 1664, 1668
v. New York Central R. Co., 17 Hun (N. Y.), 341, 996
v. New York Central R. Co., 78 N. Y. 423, 995, 1049, 1087
v. Ogden City R. Co., 7 Utah, 199, 1, 632, 636, 1083, 1096b, 1096o, 1096t, 1096v
v. Passenger R. Co., 21 Fed. 358, 1096ac
v. Philadelphia, &c., R. Co., 144 Pa. St. 461, 1221, 1224, 1242, 1243, 1243a
v. Railroad Co., 17 Tex. 560, 127, 129, 217
v. Railroad Co., 116 La. Ann. 1047, 1419
v. St. Louis, &c., R. Co., 36 Iowa, 387, 1216
v. St. Paul, &c., R. Co., 52 Minn. 497, 1169
v. Sherbone, 2 M. & W. 236, 715
v. Stevenson, L. R. 2 Sc. & Div. App. Cas. 470, 1661
v. Three, &c., Tons of Iron Ore, 38 Fed. R. 36, 1420
v. Turngren, 9 Utah, 432, 148
v. Wabash, &c., R. Co., 81 Mo. 605, 1190, 1219
v. Walker, 55 Ga. 481, 577, 1341
v. Wickman, 92 U. S. 252, 1358b
Henderson Bridge Co. v. Commonwealth, 99 Ky. 623, 76, 738b
v. Kentucky, 166 U. S. 150, 755, 1669
v. McGrath, 134 U. S. 216, 1060
v. O'Connor, 88 Ky. 308, 1060, 1062
Henderson City v. Lockett, 30 Ky. L. 321, 1801
Henderson, &c., R. Co. v. DeChamp, 95 Ky. 219, 1085, 1086
Henderson v. Dickerson, 17 B. Mon. (Ky.) 173, 840, 995, 1010, 1012, 1051, 1053
v. Leavell, 16 B. Mon. (Ky.) 358, 111
Hendler v. Lehigh Valley R. Co., 209 Pa. St. 256, 934a, 938, 1057
Hendrick v. Boston, &c., R. Co., 170 Mass. 44, 726a, 1423, 1554
v. Carolina, &c., R. Co., 98 N. Car. 431, 1053
Hendricks v. Chicago, &c., R. Co., 136 Mo. 548, 1592
v. Johnson, 6 Porter (Ala.), 472, 965
v. Sixth Ave R. Co., 12 Jones & S. (N. Y.) 8, 1639
v. Southern R. Co., 123 Ga. 342, 1243
v. Western, &c., R. Co., 52 Ga. 467, 1376
Hendrickson v. Bradley, 85 So. 508, 167
v. Great Northern R. Co., 49 Minn. 245, 1153, 1701
v. Hendrickson, 51 Iowa, 68, 1377
v. Philadelphia, &c., R. Co., 68 N. J. L. 612, 1185
Hendrie v. Canadian Bank, 49 Mich. 401, 1061
Hendrix v. Academy of Music, 73 Ga. 437, 115
v. Railroad, 107 Mo. App. 127, 1442, 1730
v. Texas, &c., R. Co., 89 S. W. 461, 1817
Hendry v. Trinity & Sabine R. Co. (Tex.) 24 Am. & Eng. R. Cas. 286, 998
Hendryx v. Kansas City, &c., R. Co., 45 Kan. 377, 1578
Hengstler v. Flint, &c., R. Co., 125 Mich. 530, 1502a, 1553
Henkel v. Pioneer Sav., &c., Co., 61 Minn. 35, 151
Henkle v. Salem Manufacturing Co., 39 Ohio St. 547, 78
Henline v. People, 81 Ill. 269, 865
Henn v. Long Island R. Co., 51 App. Div. (N. Y.) 292, 1114
Hennessey v. Bavarian Brew Co., 145 Mo. 104, 1361a, 1368
v. District of Columbia, 8 Mackey (D. C.), 220, 1804
v. Farrell, 4 Cush. (Mass.) 267, 1058
v. Forty-Second St. R. Co., 92 N. Y. S. 1058, 1096bo
v. St. Paul, &c., R. Co., 30 Minn. 55, 1049d
Hennessy v. Boston, 161 Mass. 502, 1338, 1353
v. Forty-Second St., &c., R. Co., 44 Misc. (N. Y.) 198, 1096dd
Henning v. Caldwell, 18 N. Y. Supp. 339, 1171
v. Louisville, &c., R. Co., 24 Ky. L. 2419, 1841
v. Raymond, 35 Minn. 303, 568
v. United States Ins. Co., 47 Mo. 425, 204
v. Western Union Telegraph Co., 43 Fed. R. 97, 649, 656
Hennington v. State, 90 Ga. 396, 1499, 1668
v. Georgia, 163 U. S. 299, 1664, 1668, 1671, 1673
Hennion v. New York, &c., R. Co., 101 N. Y. S. 100, 713

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Henriquez v. Dutch West Indies Co., 2 Ld. Raym. 1532, 616
Henry v. Ann Arbor R. Co., 140 Mich. 446, 1326, 1333a
v. Brackenridge, &c., Co., 48 La. Ann. 950, 1697
v. Dubuque, &c., R. R. Co., 2 Iowa, 288, 41 931, 972, 982, 994, 995, 996, 1037, 1180
v. Dubuque, &c., R. Co., 10 Iowa, 540, 986, 1055
v. Grand Ave. R. Co. 113 Mo. 525, 1689f
v. Grant St. El. R. Co., 24 Wash. 88, 1096bt, 1841
v. Grant St. El. R. Co., 24 Wash. 246, 1096bt, 1096cy, 1841
v. Great Northern, &c., R. R. Co., 1 De Gex & J. 606, 83
v. Great Northern &c., R. Co., 4 Kay & J. (Eng. Ch.) 1, 81, 83, 86
v. Henry, 103 Ala. 582, 584
v. Jackson, 37 Vt. 431, 196
v. Jennes, 47 Ohio St. 116, 618
v. Lake Shore, &c., R. Co., 49 Mich. 495 1300, 1697
v. Newburyport, 149 Mass. 582, 977
v. Ohio, &c., R. Co., 40 W. Va. 234, 1057
v Rutland, &c., R. Co., 27 Vt. 435, 272, 276
v. St. Louis, &c., R. Co. 76 Mo. 288, 1696, 1799
v. Sargeant, 13 N. H. 321, 710
v. Sioux City, &c., R. Co., 70 Ia. 233, 1704
v. Southern, &c., R. Co., 50 Cal. 176, 1226, 1231, 1242, 1243a, 1244, 1310
v. Stuart, 14 Phila. (Pa.) 110, 609
v. Vermillion, &c., R. Co., 17 Ohio, 187, 106, 110, 146, 147, 180, 182
v. Vermont Cent. R. Co., 30 Vt. 638, 977
v. Wabash, &c., R. Co., 109 Mo. 488, 1297
Henry B. Hyde, The, 82 Fed. 681, 1494, 1506
v. Nicolay, 95 U. S. 619, 819, 828, 833, 842, 886, 913
Henry, &c., Co. v. Evans, 97 Mo. 47, 1070
Henshaw v. Wells, 9 Humph. (Tenn.) 568, 558
Hensley Township v. People, 84 Ill. 544, 825
Henson v. Lott, 8 Wall. 148, 1663
Hentz v. Long Island R. Co., 13 Barb. (N. Y.) 646, 919, 920, 929, 954, 1000, 1048
Henze v. St. Louis, &c., R. Co., 71 Mo. 636, 1167
Hepfel v. St. Paul, &c., R. Co., 49 Minn. 263, 1260, 1261
Herbert v. St. Paul City R. Co., 85 Minn. 341, 1096cu
v. Southern Pac. Co., 121 Cal. 227, 1153
Herbette v. Pittsburg National Bank, 162 Mass. 137, 373
Hercules Powder Co. v. Knoxville, &c., R. Co., 113 Tenn. 382, 1068, 1071
Herf, &c., Co. v. Lackawanna, &c., R. Co., 70 Mo. App. 274, 1494
Herf, &c., Co. v. Lackawanna R. Co., 100 Mo. App. 164, 1527, 1527a
Herford v. Davis, 102 U. S. 235, 494
Herington v. Los Angeles R. Co., 140 Cal. 514, 1096cp
Herkimer Mfg. Co. v. Small, 21 Wend. (N. Y.) 273, 150
Herman v. Chicago, &c., R. Co., 79 Iowa, 161, 1643
v. Roberts, 119 N. Y. 37, 632
Hermann v. Goodrich, 21 Wis. 536, 1524
v. New Orleans, &c., R. Co., 11 La. Ann. 5, 1359
v. Port Blakely, &c., Co., 71 Fed. R. 853, 1286, 1309
Hermans v. New York, &c., R. Co., 17 N. Y. Supp. 319, 1156
Hermitage, The, 4 Blatchf. 474, 1463
Hern v. Southern Pac. R. Co., 29 Utah, 127, 1248, 1689f
Herndon v. Hurter, 19 Fla. 397, 584
Herner v. Baltimore, &c., R. Co., 149 Ind. 21, 1318a
Hernsheim v. Newport News, &c., Co., 18 Ky. L. 227, 1457a
Heron v. St. Paul, &c., R. Co., 68 Minn. 542, 468, 469
Heroy v. Gibson, 10 Bosw. 591, 548
Herr's Mill Road, 14 S. & R. (Pa.) 204, 1045
Herrell v. Chicago, &c., R. Co., 114 Wis. 605, 1209, 1214
Herrick v. Belknap's Estate and Vermont &c., R. Co., 27 Vt. 673, 1059, 1060
v. Gallagher, 60 Barb. (N. Y.) 566, 1530
v. Miller, 123 Ind. 304, 576, 583
v. Minneapolis, &c., R. Co., 31 Minn. 11, 668, 710, 1339, 1365
Herries v. Platt, 21 Hun (N. Y.), 132, 186
Herriman v. Burlington, &c., R. Co., 57 Iowa, 187, 646, 714
Herring v. Chesapeake, &c., R. Co., 101 Va. 778, 1457a
v. New York, &c., R. Co., 105 N. Y. 340, 511, 515
v. Wilmington, &c., R. Co., 10 Iredell L. 402, 1172, 1244, 1257
Herron v. Vance, 17 Ind. 595, 105, 609, 612
Hersey v. Tully, 8 Colo. App. 110, 13
v. Veazie, 24 Me. 9, 165
Hersfield v. Adams, 19 Barb. 577, 1401
Hersh v. Northern, &c., R. Co., 74 Pa. St. 181, 1467
Hershey v. O'Neill, 36 Fed. R. 136, 1265
Herstine v. Lehigh Valley, &c., R. Co., 151 Pa. St. 244, 1644
Hervey v. Illinois Midland Ry. Co., 28 Fed. R. 169, 484, 491, 501, 526, 559, 591, 596
v. Rhode Island, &c., Works, 93 U. S. 664, 494, 502
Heryford v. Davis, 102 U. S. 235, 494, 502
Heskett v. Wabash, &c., R. Co., 61 Iowa, 467, 1198
Hespenheide v. King, 31 Pittsburg Leg. J. (N. S.) 242, 1144
Hess v. Lowrey, 122 Ind. 225, 1699
v. Metropolitan St. R. Co., 27 Misc. (N. Y.) 823, 1772
v. Missouri, &c., R. Co., 40 Mo. App. 202, 1514
v. Shurleft, 65 Atl 379, 1782

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hess v. Sloane, 66 App. Div. (N. Y.) 522, 295
v. Trumbo (Ky.), 84 S. W. 1153, 175
v. Werts, 4 Serg. & R. (Pa.) 356, 186
Hess Mfg. Co., In re, 21 Ont. App. 66, 12
Hesse v. Columbus, &c., Co., 58 Ohio St. 167, 1288a
v. Meriden, &c., Co., 75 Conn. 571, 1096cz, 1636
Hessler v. Drainage Com., 53 Ill. 105, 1015
Hester v. Durham Trac. Co., 138 N. C. 288, 1096d
v. Memphis, &c., R. R. Co., 32 Miss. 378, 45
Hestonville R. Co. v. Connell, 88 Pa. St. 520, 1096cp
Hestonville, &c., R. Co. v. Philadelphia, 89 Pa. St. 210, 3, 6, 322a, 931
Hetfield v. Central R. Co., 29 N. J. L. 571, 926, 949
Hetherington v. Hayden, 11 Iowa, 335, 484
Hettie Palmer, The, 63 Fed. R. 1015, 1520
Heucke v. Milwaukee, &c., R. Co., 69 Wis. 401, 1094, 1177
Heugh v. London, &c., R. Co., L. R. 5 Exch. 50. 1464, 1526, 1535
Heumphreus v. Fremont, &c., R. Co., 8 S. Dak. 103, 1632
Hevin v. Atlantic, 121 Ga. 723, 752
Hewes v. Chicago, &c., R. Co., 119 Ill. App. 393, 1689g, 1702
Hewett v. Chicago, &c., R. Co., 63 Iowa, 611, 1412, 1423, 1435, 1443, 1475, 1520
v. Commissioners, 85 Me. 308, 982
Hewins v. New York, &c., R. Co., 10 Interstate Com. 221, 1593
Hewitt v. Dean, 91 Cal. 5, 506
v. Eisenhart, 36 Neb. 794, 16891
v. Flint, &c., R. Co., 67 Mich. 61, 1272, 1289, 1291, 1300, 1474, 1807
v. Pittsburgh, &c., R. Co., 19 Pa. Super. Ct. 304, 994, 1036
v. Powers, 84 Ind. 295, 1541
v. St. Paul, &c., R. Co., 35 Minn. 226, 929
v. Schultz, 180 U. S. 139, 799
Hewius v. New York, &c., R. Co., 10 I. C. C. 221, 1678
Hewlett v. Brooklyn Heights R. Co., 63 App. Div. (N. Y.) 423, 1809
Hewlins v. Shippam, 5 B. & C. 221, 949
Hexamer v. Webb, 101 N. Y. 377, 1063
Heyde v. St. Louis Transit Co., 102 Mo. App. 537, 1845
Heying v. United Railroad Co., 100 Md. 281, 1096cp
Heyl v. Inman, &c., Co., 14 Hun, 564, 1457
Heyman v. Southern R. Co., 27 Sup. Ct. 104. 754, 1665
Heymann v. European, &c., R. Co., L. R. 7 Eq. 154, 127, 132
Heynemann v. Blake, 19 Cal. 579, 972
Hezel Milling Co. v. St. Louis, &c., R. Co., 3 Interstate Com. R. 701, 1566
v. St. Louis, &c., R. Co., 5 Interst. Com. Com. R. 57, 1678, 1680
Hiatt v. Des Moines, &c., R. Co., 96 Ia. 169, 1641, 1839
Hibbard v. Foster, 24 Vt. 542, 1041
v. New York, &c., R. Co., 15 N. Y. 455, 199, 200, 214, 1580, 1594, 1637
Hibbard, &c., Co. v. Chicago, 173 Ill. 91, 1077
Hibberd v. Smith, 50 Cal. 511, 517
Hibbs v. Chicago, &c., R. Co., 39 Iowa, 340, 1025, 1048, 1050
Hibernia, &c., R. Co. v. DeCamp, 47 N. J. L. 518, 923, 972
v. Harrison, 93 Pa. St. 264, 193
v. St. Louis Transportation Co., 120 U. S. 166, 1455
Hibernia T. Cor. v. Henderson, 8 Serg. & R. (Pa.) 219, 106
Hibler v. McCartney, 31 Ala. 501, 1455, 1522
Hichens v. Congreve, 1 Russ. & M. 150, 11
Hick v. Rodocanachi, L. R. (1891) 2 Q. B. 626, 1459
Hicker v. Wabash R. Co., 108 N. W. 534, 1651, 1652a, 1656
Hickey v. Boston, &c., R. Co., 14 Allen, 429, 1154, 1314, 1628, 1630, 1631, 1643
v. Chicago, &c., R. Co., 6 Bradw. (Ill.) 172, 1076
v. Rio Grande, &c., R. Co., 29 Utah, 392, 1689g
v. St. Paul, &c., R. Co., 60 Minn. 119, 1095, 1096bq
Hickling v. Wilson, 104 Ill. 54, 90, 175, 181, 182
Hickman v. Missouri, &c., R. Co., 91 Mo. 433, 1628
Hickok v. Hine, 23 Ohio St. 523, 74, 964, 966, 1057c
Hickory v. Southern R. Co., 137 N. Car. 189, 1027
Hickory Farm, &c., Co. v. Buffalo, &c., R. Co., 32 Fed. R. 22, 392, 397, 399
Hickox v. Chicago, &c., R. Co., 78 Mich. 615, 943
v. Chicago, &c., R. Co., 94 Mich. 237, 931
v. Naugatuck, &c., R. Co., 31 Conn. 281, 1410, 1647, 1655
Hicks v. Burns, 38 N. H. 141, 187
v. Chesapeake, &c., R. Co., 102 Va. 197, 1105
v. Citizens', &c., R. Co., 124 Mo. 115, 1095, 1096ch
v. Hannibal, &c., R. Co., 68 Mo. 329, 1696
v. Missouri, &c., R. Co., 46 Mo. App. 304, 1163
v. New York, &c., R. Co., 164 Mass. 424, 1179b, 1359
v. Pacific, &c., R. Co., 65 Mo. 34, 1163, 1313
v. Railroad Co. 124 Mo. 115, 1096aq
v. Smith, 109 Wis. 532, 937, 938a
v. Union Pac. R. Co., 107 N. W. 798, 1579
Hidden v. Davisson, 51 Cal. 138, 1025
Hiel v. St. Louis, &c., R. Co., 16 Mo. App. 363, 1505
Hiern v. Mill, 13 Ves. 114, 226
Hieskell v. Farmers', &c., Bank, 89 Pa. St. 155, 1427
Higbee v. Camden, &c., R. Co., 19 N. J. Eq. 276, 1085

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Higby v. People, 5 Ill. 165, 713
Higginbotham v. Great Northern, &c., R. Co., 2 F. & F. 796, 1481
Higgins, In re, 27 Fed. R. 443, 575, 633
Higgins v. Atchison, &c., R. Co., 70 Kan. 814, 1330
v. Ausmuss, 77 Mo. 351, 789
v. Butcher, Yelverton 89, 1359
v. Central, &c., R. Co., 155 Mass. 176, 710, 1365, 1366
v. Flemington Water Co., 36 N. J. Eq. 538, 1049
v. Hopkins, 3 Exch. 163, 13
v. Lansingh, 154 Ill. 301, 78, 82, 85, 110, 165, 270
v. Missouri, &c., R. Co., 43 Mo. App. 547, 1329
v. New Orleans, &c., R. Co., 28 La. Ann. 133, 1498
v. St. Louis, &c., R. Co., 197 Mo. 300, 1096bv
v. United States, &c., Co., 3 Blatchf. (U. S. C. C.) 282, 1522
v. Wilmington St. R. Co., 1 Marv. (Del.) 352, 1096cq
v. Watervliet, &c., R. Co., 46 N. Y. 23, 198, 214
Higginson, In re, 79 L. T. Rep. 673, 611
High v. Southern Pac. Co., 88 Pac. 961, 1200
High Bridge, &c., Co. v. United States, 69 Fed. R. 320, 980
Highland v. Houston, &c., R. Co., 65 S. W. 649, 1239, 1247
Highland Ave., &c., R. Co. v. Birmingham Union R. Co., 93 Ala. 505, 632
v. Burt, 92 Ala. 291, 1096cy, 1628
v. Donovan, 94 Ala. 299, 1096cz, 1630
v. Dusenberry, 98 Ala. 239, 1316
v. Maddox, 100 Ala. 618, 1096cj, 1170
v. Mathews, 99 Ala. 24, 1049b
v. Walters, 91 Ala. 435, 211, 1345
v. Winn, 93 Ala. 306, 1251, 1762
v. Sampson, 112 Ala. 425, 1096bq, 1096ce, 1792
v. South, 112 Ala. 642, 1689e, 1761
Highland, &c., Min. Co. v. Pouch, 124 Fed. 148, 1689g
Highland, &c., R. Co. v. Robinson, 125 Ark. 483, 1802
Hightower v. Missouri, &c., R. Co., 67 Mo. 726, 1231
v. Thornton, 8 Ga. 486, 76, 150, 426, 613
Higley v. Gilmer, 3 Mont. 90, 1096cr, 1578, 1631
Hilbom v. Boston, &c., R. Co., (Mass.) 77 N. E. 646, 1096bt
Hildreth v. Lowell, 11 Gray (Mass.) 345, 1020
v. McIntire, 1 J. J. Marsh, (Ky.) 206, 247
Hiles v. Moore, 15 Beav. 175, 549
Hill v. Alliance, &c., Co., 6 S. Dak. 160, 1075
v. Atoka, &c., Co., (Mo. Sup.) 21 S. W. R. 508, 95, 306
v. Barcley, 16 Ves. 402, 945
v. Beach, 12 N. J. Eq. 31, 190, 619
Hill v. Birmingham Union R. Co., 100 Ala. 447, 1630
v. Boston, &c., R. Co., 72 N. H. 518, 1780
v. Boston, &c., R. Co., 144 Mass. 284, 1504, 1507, 1510, 1645
v. Burlington, &c., R. Co., 60 Iowa, 196, 1435, 1437, 1444, 1563
v. Chicago, &c., R. Co., 38 La. Ann. 599, 1087
v. Chicago, &c., R. Co., 140 U. S. 52, 518
v. Cincinnati, &c., R. Co., 109 Ind. 511, 1057f
v. Commissioners, 67 N. C. 368, 814
v. Fogg, 41 Mo. 563, 606
v. Frazier, 22 Pa. St. 320, 318
v. Georgia, &c., R. Co., 43 S. Car. 461, 1694
v. Glasgow R. Co., 41 Fed. R. 610, 43, 167
v. Glendon, &c., R. Co., 113 N. C. 259, 1000a, 1028, 1049c
v. Gould, 129 Mo. 106, 14
v. Higdon, 5 Ohio St. 243, 825, 950
v. Humphreys, 5 Watts & S. (Pa.) 123, 1517, 1520, 1531
v. LaCrosse, &c., R. Co., 14 Wis. 291, 626
v. LaCrosse, &c., R. Co., 11 Wis. 214, 1066, 1069
v. Leadbetter, 42 Me. 572, 1558, 1709
v. Louisville, &c., R. Co., 9 Heisk. (Tenn.) 823, 711
v. Louisville, &c., R. Co., 124 Ga. 243, 1641,
v. Manchester, &c., Co., 5 B. & Ad. 866, 171
v. Memphis, 134 U. S. 198, 823, 839, 875, 883, 895
v. Memphis, 23 Fed. 872, 823
v. Merchants' Mut. Ins. Co., 134 U. S. 515, 43
v. Mining Co., 21 S. W. 508, 321
v. Missouri, &c., Co., 121 Mo. 477, 1181
v. Mohawk R. Co., 7 N. Y. 152, 970, 982, 999, 1042
v. New Haven, 37 Vt. 501, 1373
v. Newichawanick Co., 71 N. Y. 583, 305
v. Ninth Ave., R. Co., 109 N. Y. 239, 1096cw
v. Nisbet, 100 Ind. 341, 95, 140, 153, 156, 169, 251, 276, 323, 535
v. Northern Pac. R. Co., 104 Fed. 754, 1377
v. Northern Pac. R. Co., 113 Fed. 914, 1377
v. Northern, &c., R. Co., 33 Wash. 697, 1510
v. Peekskill Sav. Bank, 46 Hun, 180, 882
v. Pennsylvania R. Co., 178 Pa. St. 223, 1361a
v. Pine River Bank, 45 N. H. 300, 93, 99, 101
v. Pioneer Lumber Co., 113 N. Car. 173, 604
v. Portland R. Co., 55 Me. 438, 1177, 1264

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hill v. Port Royal, &c., R. Co., 31 So. Car. 393, 1176
v. Probst, 120 Ind. 528, 872
v. Rome St. R. Co., 101 Ga. 66, 8, 1096cn
v. Salem, &c., Co., 1 Rob. (Va.) 263, 1053
v. Scotland County, 32 Fed. R. 716, 918
v. Southern Pac. R. Co., 23 Utah, 94, 1278, 1288
v. South Staffordshire R. Co., 11 Jur. N. S. 192, 1059
v. Spencer, 61 N. Y. 274, 186
v. Standard, &c., R. Co., 198 Pa. St. 446, 604
v. Sturgeon, 28 Mo. 323, 1455, 1513
v. Syracuse, &c., R. Co., 63 N. Y. 101, 1598
v. Syracuse, &c., R. Co., 73 N. Y. 351, 1500, 1502, 1502a
v. Union R. Co., 25 R. I. 565, 1815
v. Western, &c., R. Co., 32 Vt. 68, 400, 938
v. Winsor, 118 Mass. 251, 1799
Hillary v. Great Northern R. Co., 64 Minn. 361, 1453
Hileman v. Chicago, &c., R. Co., 113 Ia. 591, 1088
Hilleman v. Gray's Point, &c., R. Co., 99 Mo. App. 271, 1194
Hill Manufacturing Co. v. Boston, &c., R. 104 Mass. 122, 1434, 1435, 1441, 1445
Hilles v. Parrish, 14 N. J. Eq. 380, 164, 174, 264, 634
Hilliard v. Chicago, &c., R. Co., 37 Iowa, 442, 1184, 1185, 1196
v. Goold, 34 N. H. 230, 200, 227
v. Richardson, 3 Gray (Mass.), 349, 1063
Hilliker v. Citizens St. R. Co., 152 Ind. 86, 1359, 1368
Hillis v. Chicago, &c., R. Co., 72 Iowa, 228, 1622, 1623, 1625, 1647, 1654
Hillman v. Georgia R., &c., Co., 126 Ga. 814, 1836, 1837
Hills v. Mackill, 36 Fed. R. 702, 1481
v. Parker, 111 Mass. 508, 572
v. Peekskill, &c., Bank, 101 N. Y. 490, 902, 903
v. Richmond, &c., R. Co., 33 Fed. R. 81, 645, 651
Hilltown Road, 18 Pa. St. 233, 1017
Hilton v. Fitchburg R. Co., 73 N. H. 116, 1284
v. Mason, 92 Ind. 157, 859
v. St. Louis, 99 Mo. 199, 1000
Hilton Lumber Co. v. Wilmington, &c., R. Co., 9 I. C. C. 17, 1684g
Hilts v. Chicago, &c., 55 Mich. 437, 213
Hilz v. Missouri, &c., R. Co., 101 Mo. 36, 1156
Hinchley v. Kettle River R. Co., 80 Minn. 32, 180
Hinchman v. Lincoln, 124 U. S. 38, 92
v. Patterson Horse R. Co., 17 N. J. Eq. 75, 1088, 1096c
v. Pere Marquette R. Co., 136 Mich. 341, 719
v. Philadelphia, &c., Co., 160 Pa. St. 150, 47, 52, 55
Hinchman v. Point Defiance R. Co., 14 Wash. 349, 497
Hinckley v. Cape Cod R. Co., 120 Mass. 257, 1162, 1349, 1701, 1702
v. Chicago, &c., R. Co., 38 Wis. 194, 1638
v. Gilman, &c., R. Co., 94 U. S. 467, 518, 583
v. Gilman, &c., Co., 100 U. S. 153, 555, 586
v. Kettle River R. Co., 70 Minn. 105, 851
v. Merchants' Nat. Bank, 131 Mass. 147, 484
v. New York, &c., R. Co., 56 N. Y. 429, 1423, 1440, 1449
v. Pfister, 83 Wis. 64, 166, 609
Hindman v. Oregon, &c., Co., 17 Ore. 614, 1181, 1208, 1209
Hindoustan, The, 67 Fed. R. 794, 1516
Hindry v. Holt, 24 Colo. 464, 1361
Hinds v. Barton, 25 N. Y. 544, 1243a
Hine v. Bay City, &c., Co., 115 Mich. 204, 1096bk
v. Keokuk, &c., Co., 42 Iowa, 636, 1076
v. New Haven, 40 Conn. 478, 950
v. New York, &c., R. Co., R. Co., 36 Hun, 293, 1038
Hiner v. Fon du Lac, 71 Wis. 74, 1177
Hines v. Darling, 99 Mich. 47, 714
v. Leavenworth, 3 Kan. 186, 781, 782
v. Missouri Pac. R. Co., 86 Mo. 629, 1219
v. New York, &c., R. Co., 78 Hun, 239, 1271
v. Wilmington, &c., R. Co., 95 N. Car. 434, 715, 1682
Hingham, &c., Co. v. County of Norfolk, 6 Allen (Mass.), 353, 825, 953, 970, 973, 1041
Hinken v. Iowa, &c., R. Co., 97 Iowa, 603, 1165
Hinkle v. Richmond, &c., R. Co., 109 N. Car. 472, 1057, 1114, 1154, 1156, 1159, 1166a
v. San Francisco, &c., R. Co., 55 Cal. 627, 1060
v. Southern R. Co., 126 N. Car. 932, 1450, 1500, 1514, 1716
Hinkley v. New York, &c., R. Co., 3 T. & C. (N. Y.) 281, 1446
Hinnershitz v. Union Trac. Co., 199 Pa. St. 3, 1049a
Hinsdell v. Weed, 5 Denio (N. Y.), 172. 1559
Hinshaw v. Raleigh, &c., R. Co. 118 N. C. 1047, 1628, 1642
Hinson v. Lott, 8 Wall. 148, 1665
v. Williamson, 74 Ala. 132, 1828
Hinton v Dibbin, 2 Q. B. 646, 1608
v. Eastern R. 72 Minn. 339, 1512, 1516
Hinz v. Chicago, &c., R. Co., 93 Wis. 16, 1290, 1298
Hior v. London, &c., R. Co., L. R. 4 Ex. Div. 188, 1526
Hipsley v. Kansas City, &c., R. Co., 88 Mo. 348, 1788
Hirchon v. Hamburgh, &c., 34 N. Y. Super Ct. 521, 1647
Hirsch v. Buffalo, 107 N. Y. 671, 1177
v. Manhattan R. Co., 84 App. Div. (N. Y.) 374, 1049c

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hirsch v. New York, &c., R. Co., 50 Misc. (N. Y.) 568, 1695
Hirschkovitz v. Pennsylvania, 138 Fed. 438, 1366a
Hirschman v. Iron Range, &c., R. Co., 97 Mich. 384, 210, 213
Hiscock v. Lacy, 30 N. Y. Supp. 860, 314
v. Lacy, 9 Misc. N. Y. 578, 167
Hiss v. Baltimore, &c., Ry. Co., 52 Md. 242, 1088, 1096c
Hissong v. Richmond, &c., R. Co., 91 Ala. 514, 1351, 1356, 1358, 1795
Hitch v. Hawley, 132 N. Y. 212, 609
Hitchcock v. Danbury, &c., R. Co., 25 Conn. 516, 1052
v. Galveston, 96 U. S. 341, 228, 371
Hitchings v. St. Louis, &c., Trans. Co., 68 Hun (N. Y.), 33, 353
Hite v. Hite, 93 Ky. 257, 307
Hite's Executors v. Hite's Devisees, 2 Ky. & Corp. L. J. (Ky.) 568, 307
Hitte v. Republican, &c., Railroad Co., 19 Neb. 620, 1064
Hittinger v. Westford, 135 Mass. 258, 1342
Hixon v. Oneida County, 82 Wis. 515, 751
Hoadley v. County Commissioners, 105 Mass. 519, 15
v. Northern, &c., Co., 115 Mass. 304, 1310, 1417, 1455, 1457a, 1488, 1498, 1506
v. Watson, 45 Vt. 289, 1774
Hoag v. Lake Shore, &c., R. Co., 85 Pa. St. 293, 1310, 1584
v. New York, &c., R. Co., 111 N. Y. 199, 1174
Hoagland v. Bell, 36 Barb. (N. Y.) 57, 108
v. Cincinnati, &c., R. Co., 18 Ind. 452, 18, 111a
v. Forest Park, &c., Co., 170 Mo. 335, 1798
v. Hannibal & St. Joseph R. Co., 39 Mo. 451, 372, 374
Hoar v. Maine Central Co., 70 Me. 65, 221, 1255, 1573, 1629, 1632
Hoard v. Chesapeake & Ohio Ry., 123 U. S. 222, 324, 526, 929, 936, 942
v. Huntington, &c., R. Co., 53 S. E. 278, 934b, 935
Hoare v. Great Western R., 37 L. T. R. (N. S.) 186, 1523
v. Great Western R. Co., 25 W. R. 631, 1692
Hoback v. Louisville, &c., R. Co., 99 S. W. 241, 1151a
Hobart v. Ford, 6 Nev. 77, 965
v. Milwaukee, &c., R. Co., 27 Wis. 194, 1085, 1088, 1089
v. Supervisors, 17 Cal. 23, 821, 950
Hobbs v. Hatch, 48 Me. 55, 1041
v. McLean, 117 U. S. 567, 509
v. Memphis, &c., R. Co., 9 Heisk. (Tenn.) 873, 1689h
v. St. Louis, &c., R. Co., 113 Mo. App. 126, 1214
v. Texas, &c., R. Co., 83 Ill. 273, 1629
v. Texas, &c., R. Co., 49 Ark. 357, 1582, 1637
Hoboken, &c., Co. v. Kahn, 59 N. J. L. 218, 1802
Hobson v. New Mexico, &c., R. Co., (Ariz.) 11 Pac. 545, 1316
Hochester v. De La Tour, 2 El. & Bl. 678, 1062
Hockstadter v. Harrison, 71 Ga. 21, 646
Hockett v. State, 105 Ind. 250, 2, 637, 662
Hocum v. Weitherick, 22 Minn. 152, 1313
Hodder v. Kentucky, &c., Ry. Co., 7 Fed. 793, 250, 485, 491
Hodgdon v. New York, &c., R. Co., 27 Wis. 81, 1527
Hodge's Appeal, 84 Pa. St. 359, 527
Hodge v. Lehigh Val. R. Co., 39 Fed. 449, 1057
v. State, 82 Ga. 643, 730
Hodgerson v. St. Louis, &c., R. Co., 160 Ill. 430, 33
Hodges v. Baltimore U. P. R. Co., 58 Md. 603, 47, 52, 845
v. New England, &c., Co., 1 R. I. 312, 251, 278
v. New England Co., 3 R. I. 9, 279
v. Percival, 132 Ill. 53, 1177, 1349
v. Rutland, &c., R. Co., 29 Vt. 220, 272, 283
v. St. Louis, &c., R. Co., 71 Mo. 50, 1151a
v. Silver Hill Min. Co., 9 Ore. 200, 182, 183, 188
v. Standard Wheel Co., 152 Ind. 680, 1356
v. Telegraph Co., 133 N. C. 225, 938
v. Western U. Tel. Co., 72 Miss. 910, 1081, 1096p
v. Wilmington, &c., Railroad Co., 105 N. C. 170, 712
Hodgin v. Southern R. Co., 55 S. E. 413, 1157
Hodgkins v. Eastern, &c., Co., 119 Mass. 419, 1269, 1277, 1302, 1326, 1352
Hodgkinson v. London, &c., R. Co., L. R. 14 Q. B. Div. 228, 1652a, 1659
v. Nat'l. &c., Co., 26 Beav. 473, 176
Hodgman v. People, 4 Den. (N. Y.) 235, 712
v. St. Paul, &c., R. Co., 23 Minn. 153, 851, 851a
Hodgson v. Duluth, &c., R. Co., 46 Minn. 454, 164
Hodnett v. Boston, &c., R. Co., 156 Mass. 86, 1368
Hoeger v. Chicago, &c., R. Co., 63 Wis. 100, 1649, 1651, 1652, 1659
Hoehn v. Chicago, &c., R. Co., 152 Ill. 223, 1630
Hoelzel v. Crescent City R. Co., 49 La. Ann. 1302, 1096bq, 1096cj
Hoen v. Atlantic, &c., R. Co., 64 Mo. 561, 622
Hoff v. Jasper County, 110 U. S. 53, 908
v. West Jersey, &c., R. Co., 45 N. J. Law, 201, 1224
Hoffard v. Illinois Cent. R. Co., 110 N. W. 446, 1298
Hoffbauer v. Davenport Railway Co., 52 Iowa, 342, 202, 1280, 1637

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hoffe v. Hoffe, 104 Cal. 94, 511
Hoffman v. Bloomsburg, &c., R. Co., 157 Pa. St. 174, 109
v. Bloomsburg, &c., R. Co., 143 Pa. St. 503, 1040
v. Chicago, &c., R. Co., 40 Minn. 60, 1238
v. Cumberland, &c., R. Co., 85 Md. 391, 803
v. King, 160 N. Y. 618, 1231
v. Knox, 50 Fed. R. 484, 518
v. Lake Shore, &c., R. Co., 125 Mich. 201, 1569
v. Metropolitan Express Co., 111 App. Div. (N. Y.) 407, 1502a
v. New York Cent. R. Co., 44 N. Y. Super Ct. 1, 1789
v. New York, &c., R. Co., 87 N. Y. 25, 1255, 1637
v. New York, &c., R. Co., 12 J. & S. (N. Y.) 1, 1701
v. New York, &c., R. Co., 75 N. Y. 605, 1641
v. Northern, &c., R. Co., 45 Minn. 53, 1597, 1599, 1801, 1823
v. Syracuse, &c., Co., 50 N. Y. App. Div. 83, 1096ce
Hoffman, &c., Co. v. Cumberland, &c., Co., 16 Md. 456, 226
v. St. Louis, &c., R. Co., 119 Mo. App. 945, 1406, 1465
Hoffnagle v. New York, &c., R. Co., 55 N. Y. 608, 1310, 1317
Hogan v. Citizens St. R. Co., 150 Mo. 36, 1096cd
v. Kelley 29 Mont. 485, 217
v. Kentucky Union R. Co., (Ky.) 21 S. W. 242, 1057
v. Manhattan R. Co., 149 N. Y. 23, 1263
v. Northern Pac. R. Co., 53 Fed. R. 519, 1304
v. Page, 2 Wall. 605, 409
v. Tyler, 90 Va. 19, 1171
Hoge v. Richmond, &c., Co., 99 U. S. 348, 770
v. Southern R. Co., 39 So. 425, 1205
Hogencamp v. Paterson, &c., R. Co., 17 N. J. Eq. 83, 1089
Hogue v. Capital, &c., Bank, 47 Neb. 929, 20
v. Chicago, &c., R. Co., 32 Fed. R. 365, 1378
Hohl v. Chicago, &c., R. Co., 61 Minn. 321, 1206
Hohman v. New York, &c., R. Co., 90 N. Y. S. 882, 1179e
Hohnn v. Chicago, &c., R. Co., 80 Wis. 299, 1272a
Hohorst, In re, 150 U. S. 653, 623
Hoke v. Georgia R. &c., Co., 89 Ga. 215, 629, 974
v. Henderson, 4 Dev. (N. C.) 1, 666
Holbert v. St. Louis, &c., R. Co., 45 Iowa, 23, 956
Holbrook v. Aldrich, 168 Mass. 16, 1259
v. Ives, 44 Ohio St. 516, 1075
v. New Jersey Zinc Co., 57 N. Y. 616, 97
v. Utica, &c., R. Co., 12 N. Y. 236, 1633, 1644
v. Wight, 24 Wend. 169, 1426
Holcombe v. Holcombe, 13 N. J. Eq. 413, 584
Holden v. Gilbert, 7 Paige (N. Y.) 208, 530
v. Hardy, 169 U. S. 366, 1336
v. Hoyt, 134 Mass. 181, 265
v. Liverpool, &c., Co., 3 C. B. 1, 1313
v. Missouri R. Co., 108 Mo. App. 665, 1096cf
v. Nashville, &c., R. Co., 92 Tenn. 141, 1376
v. New York Cent. R. Co., 54 N. Y. 662, 1724
v. Phelps, 141 Mass. 456, 295
v. Putnam, &c., Ins. Co., 46 N. Y. 1, 649
v. Rutland, &c., Co., 30 Vt. 297, 1181
Holder v. Chicago, &c., R. Co., 11 Lea (Tenn.), 176, 1207
v. Lafayette, &c., R. Co., 71 Ill. 106, 272
v. Railroad, 92 Tenn. 141, 1376
Holdridge v. Mendenhall, 108 Wis. 1, 1096ce, 1096cl, 1096cl
Hole v. Settingbourne R. Co., 6 H. & N. 488, 1063, 1096ar, 1186
Holgate v. Oregon Pac. Ry. Co., 16 Ore. 123, 623
Holingren v. S. Paul, &c., R. Co., 61 Minn. 85, 1096bq
Holladay v. Davis, 5 Ore. 40, 275
Elliot, 8 Ore. 84, 107
v. Kennard, 12 Wall. 254, 1458, 1589
v. Paterson, 5 Ore. 177, 2, 275, 386, 387, 928, 941
Holland v. Challen, 110 U. S. 15, 697, 702
v. Cheshire R. Co., 151 Mass. 231, 82, 534
v. Chicago, &c., R. Co., 18 Fed. 243, 1179l
v. Festiniog, &c., R. Co., 2 Nev. & McN. 278, 1677
v. Heyman, 60 Ga. 174, 186
v. Lee, 71 Md. 338, 531
v. Leslie, 2 Harr. (Del.) 306, 624
v. St. Louis, &c., R. Co., 105 Mo. App. 117, 1585, 1633, 1635
v. Seaboard, &c., R. Co., 55 S. E. 835, 1200
v. Southern, &c., R. Co., 100 Cal. 240, 1207
v. Sparks, 92 Ga. 753, 1263, 1367
v. Tennessee, &c., R. Co., 91 Ala. 444, 1278, 1283, 1284, 1374
Holland, The Robert, 59 Fed. R. 200, 1361
Hollenback v. Berkshire R. Co., 9 Cush. 478, 1361, 1361a, 1363
v. Donnell, 94 N. Y. 342, 538
v. Missouri Pac. R. Co., 34 S. W. 494, 1272
Holliday v. Hilderbrandt, 97 Ia. 177, 888
Hollinger v. Canadian, &c., R. Co., 20 Ont. App. 244, 1179
Hollingshead v. Woodward, 35 Hun, 410, 73
Hollingsworth v. Chicago, &c., R. Co., 160 Ind. 259, 1271
v. Des Moines, &c., R. Co., 63 Iowa, 443, 995
v. Southern R. Co., 86 Fed. 353, 26, 649

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hollins v. Brierfield, &c., Co., 150 U. S. 371, 110, 511, 600
v. Demorest, 129 N. Y. 676, 999
v. St. Paul M & M. R. Co., 29 N. Y. S. 208, 79, 167, 534
Hollister v. Hollister Bank, 2 Keyes (N. Y.), 245, 702, 1362
v. Nowlen, 19 Wend. (N. Y.) 234, 1096cr, 1421, 1454, 1495, 1496, 1661
v. State, 9 Idaho, 8, 950
v. Stewart, 111 N. Y. 644, 500, 505, 514, 533
Holliway v. Pasadena, &c., R. Co., 130 Cal. 177, 1096ct
Halloway v. Louisville, &c., R. Co., Ky. 244, 949
v. Memphis R. Co., 23 Tex. 465, 616
Holly v. Atlanta, &c., R. Co., 61 Ga. 215, 1402, 1639
v. Boston, &c., R. Co., 8 Gray (Mass.), 123, 1262
v. Southern R. Co., 119 Ga. 767, 1608, 1652a
Holly Shelter R. Co. v. Newton, 133 N. Car. 132, 1030a, 1030b, 1049a, 1053
Hollyman v. Hannibal, &c., R. Co., 58 Mo. 480, 1219
Holman v. Chicago, &c., R. Co., 62 Mo. 562, 1206
v. Galveston, &c., R. Co., 14 Tex. Civ. App. 499, 581
v. State, 105 Ind. 569, 18, 49, 88, 111
v. Union, &c., R. Co., 114 Mich. 208, 1096cd
Holmer v. Steamship Co., 77 N. E. 21, 1654
Holmes, Ex parte, 5 Cow. (N. Y.) 426, 158
Holmes v. Ashtabula Rapids Transit Co., 10 O. C. D. 688, 1841
v. Atchison, &c., R. Co., 48 Mo. App. 79, 1828
v. Atlantic, &c., R. Co., 16 N. Y. S. 743, 1261
v. Bailey, 92 Pa. St. 57, 1426
v. Central, &c., R. Co., 37 Ga. 598, 1150, 1264
v. Drew, 151 Mass. 578, 1249
v. Eastern Counties, &c., R. Co., 3 K. & J. 675, 393, 935
v. German, &c., Bank, 87 Pa. St. 525, 1428
v. Gilliland, 41 Barb. (N. Y.) 568, 18, 190
v. Holmes, &c., Man. Co., 37 Conn. 278, 30
v. Jannison, 14 Pet. (U. S.) 540, 646
v. Jones, 80 Ga. 659, 946c
v. McAllister, 123 Mich. 493, 222
v. Missouri, &c., R. Co., 190 Mo. 98, 1702
v. Northeastern Railroad Co., L. R. 4 Exch. 255, 1250, 1305, 1578
v. Oregon, &c., R. Co., 5 Fed. 523, 1378a
v. Sherwood, 16 Fed. R. 725, 182
v. Sherwood, 3 McCrary, 405, 183, 570
v. Southern Pac. R. Co., 120 Cal. 357, 1280
Holmes v. Tutton, 5 El. & B. 65, 625
v. Wakefield, 12 Allen (Mass.), 580, 1255, 1637
Holmes, &c., Co. v. Holmes, &c., Co., 127 N. Y. 252, 251, 374, 608
Holroyd v. Marshall, 10 H. L. C. 191, 504
Holsab v. New Orleans, &c., R. Co., 38 La. Ann. 185, 1096ck
Holsapple v. Rome, &c., R. Co., 86 N. Y. 275, 1505, 1548, 1692, 1693
Holst v. Savannah, &s., Co., 131 Fed. 931, 1096l
Holston v. Coal & Iron Co., 95 Tenn. 521, 1359
Holt v. Bennett, 146 Mass. 437, 604
v. Hannibal, &c., R. Co., 174 Mo. 524, 1637, 1798
v. Hannibal, &c., R. Co., 87 Mo. App. 203, 1578a
v. Somerville, 127 Mass. 408, 400, 938, 1021
v. Southwest, &c., R. Co., 84 Mo. App. 443, 1096cu
v. Spokane, &c., Co., 3 Idaho, 703, 218
v. Spokane, &c., R. Co., 4 Idaho, 443, 1378a
v. Westcott, 43 Me. 445, 1559, 1709
v. Winfield Bank, 25 Fed. R. 812, 102
Holt Ice Co. v. Arthur Jordan Co., 25 Ind. App. 314, 1689g
Holton v. Daly, 106 Ill. 131, 1375, 1378a
v. Milwaukee, &c., R. Co., 31 Wis. 27, 987
v. Wallace, 77 Fed. 61, 620
Holtz v. Great Northern R. Co., 6 Minn. 524, 1319, 1355
Holum v. Chicago, &c., R. Co., 80 Wis. 299, 1315
Holwerson v. St. Louis, &c., R. Co., 157 Mo. 216, 711, 1096cf, 1175
Holyoke v. Grand Trunk R., 48 N. H. 541, 1800, 1808, 1812, 1820
Holyoke, &c., Co. v. Connecticut River Co., 22 Blatch. (U. S.) 131, 1049
v. Lyman, 15 Wall. 500, 770
Holzab v. New Orleans, &c., R. Co., 38 La. Ann. 185, 1178
Home Ins. Co. v. Augusta, 93 U. S. 116, 780
v. Baltimore, &c., Co., 93 U. S. 527, 1509
v. Howard, 111 Ind. 544, 1377
v. Morse, 20 Wall. (U. S.) 445, 23
v. New York, 134 U. S. 594, 740, 766, 772a, 776
v. Western Transp. Co., 4 Rob. (N. Y.) 257, 1509
v. Western Transp. Co., 51 N. 93, 1531
Home of Friendless v. Rouse, 8 Wall. 430, 746, 768, 770
Home, &c., Ins. Co. v. Dunn, 19 Wall. (U. S.) 214, 654
Home, &c., Co. v. Oregon, &c., R. Co., 20 Ore. 569, 1233, 1234
v. Roanoke (Va.), 27 L. R. A. 551, 1091
Homersham v. Wolverhampton Water-Works, 6 Exchq. 137, 259
Homestake, &c., Co. v. Fullerton, 69 Fed. R. 923, 1277, 1295

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Homesly v. Ellas, 66 N. Car. 330, 1519, 1522
Homestead St. R. Co. v. Pittsburg, &c., R. Co., 166 Pa. St. 162, 1096z
Homuth v. Metropolitan, &c., R. Co., 129 Mo. 629, 1377
Honenstine v. Vaughn, 7 Blkf. (Ind.) 520, 1041
Honey v. Chicago, &c., R. Co., 59 Fed. R. 423, 1174
Honeyman v. Oregon, &c., R. Co., 13 Ore. 352, 1396, 1466, 1647
Hooc v. Boston, &c., St. R. Co., 187 Mass. 67, 1353
Hood v. First Nat. Bank, 29 Fed. R. 55, 550
v. Grand Trunk R. Co., 20 U. Can. C. P. 361, 1511
v. Lehigh, &c., R. Co., 78 N. E. 1105, 1165
v. McNaughton, 54 N. J. Law, 425, 178
v. New York, &c., R. Co., 22 Conn. 1, 38, 1434, 1435, 1445, 1596
v. New York, &c., R. Co., 22 Conn. 502, 1435, 1596
v. Northeastern R. Co., L. R. 5 Ch. 525, 935
v. Northeastern Co., L. R. 8 Eq. 666, 635
v. Southern R. Co., 133 Ala. 374, 1000
Hoodless v. Reid, 112 Ill. 105, 507
Hook v. Bosworth, 64 Fed. R. 443, 562
v. Missouri Pac. R. Co., 162 Mo. 569, 1165, 1167
v. Worcester, &c., R. Co., 58 N. H. 251, 1200, 1209
Hooker v. Burr, 194 U. S. 415, 525a, 530
v. Chicago, &c., Co., 76 Wis. 542, 218, 1155
v. Montpelier, &c., R. Co., 62 Vt. 47, 1036
v. New Haven, &c., R. Co., 14 Conn. 146, 976, 1005, 1055
v. Vandewater, 4 Denio, 349, 366, 385
Hooks v. Alabama, &c., R. Co. 73 Miss. 145, 1628
Hookset v. Concord, &c., R. Co., 38 N. H. 242, 1222, 1223, 1231, 1799
Hoole v. Great Western R. Co., L. R. 3 Ch. 262, 81, 312, 313
Hooper v. Baltimore, &c., R. Co., 85 Md. 509, 1096r
v. Chicago, &c., R. Co., 27 Wis. 81, 1399, 1442, 1527, 1692
v. Columbus, &c., R. Co., 78 Ala. 213, 1049
v. Cummings, 45 Me. 359, 942
v. London, &c., R. Co., 50 L. J. C. B. Div. 103, 1658
v. Wells, 27 Cal. 11, 1401a, 1455
v. Winston, 24 Ill. 353, 583
Hoosier Stone Co. v. Louisville, &c., R. Co., 131 Ind. 575, 1478
Hooten v. Barnard, 137 Mass. 36, 1057d
Hoover v. Beech Creek, &c., R. Co., 154 Pa. St. 362, 1324
v. Missouri, &c., R. Co., 16 S. W. 480, 1243a
v. Montclair, &c., R. Co., 29 N. J. Eq. 4, 580, 591
v. Pennsylvania Co., 156 Pa. St. 220, 1468, 1565
Hoover v. St. Louis, &c., R. Co., 113 Mo. App. 688, 1503
v. Wise, 91 U. S. 308, 269
Hoover Stone Co. v. McCain, 133 Ind. 231, 1321
Hope v. Norfolk, &c., R. Co., 79 Va. 283, 934
v. Valley City Salt Co., 25 W. Va. 789, 535
Hope, &c., Co. v. Beckman, 47 Mo. 93, 252
Hope Mining Co. v. Kennon, 3 Mont. 35, 750
Hope Mut. L. Ins. Co. v. Taylor, 2 Robt. (N. Y.) 278, 570
Hopkins v. Atlantic, &c., R. Co., 36 N. H. 9, 1040, 1773, 1800, 1822
v. Baltimore, &c., R. Co., 6 Mackey, 311, 1076
v. Kansas Pacific R. Co., 18 Kan. 462, 1209
v. Nashville, &c., R. Co. 96 Tenn. 409, 1029, 1702
v. Philadelphia, &c., R. Co., 94 Md. 257, 962, 971, 1053
v. Roseclare Lead Co., 72 Ill. 373, 161, 168, 606
v. St. Paul, &c., R. Co., 2 Dill. (U. S.) 396, 526
v. United States, 171 U. S. 578, 1358e, 1663, 1674, 1675, 1878
v. Westcott, 6 Blatch. (C. C.) 64, 1421, 1454, 1647, 1649a, 1661
v. Worcester, &c., Canal Prop., L. R. 6 Eq. 437, 538, 545, 549
Hoppensack v. Hoppensack, 61 How. Pr. (N. Y.) 498, 584
Hopper v. Chicago, &c., R. Co., 91 Iowa, 639, 1560
v. Covington, 8 Fed. 777, 897
v. Sage, 112 N. Y. 530, 305, 306
Hoppin v. Buffum, 9 R. I. 513, 92, 157, 158
Hopple v. Hipple, 33 Ohio St. 116, 876
Hoppock v. Chambers, 96 Mich. 509, 914
Hopson v. Aetna, &c., Co., 50 Conn. 597, 251, 604
v. Kansas City, &c., R. Co., 87 Miss. 789, 1179a, 1179l
Hord v. Nashville, &c., R. Co., 2 Swan (Tenn.), 497, 1053
Horn v. Atlantic, &c., Co., 35 N. H. 169, 663, 668, 1082, 1096o
v. Baltimore, &c., R. Co., 54 Fed. 301, 1155, 1158, 1164, 1165, 1168, 1313, 1702
v. Bennett, 135 Ind. 158, 510
v. Chicago, &c., R. Co., 38 Wis. 463, 668, 723
v. Chicago, &c., R. Co., 124 Ia. 281, 1260
v. Indianapolis Nat. Bank, 125 Ind. 381, 530
v. Pere Marquette R. Co., 151 Fed. 627, 548, 559, 563, 565, 621a
Horn Silver Mining Co. v. New York, 143 U. S. 305, 25, 761
v. Ryan, 42 Minn. 196, 279, 281
Horn, &c., Co. v. New York, 143 U. S. 305, 67
Hornback v. Cincinnati, &c., R. Co., 20 Ohio St. 81, 945

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hornblower v. Crandall, 7 Mo. App. 220, 13
v. Crandall, 78 Mo. 581, 282
Hornbrook v. Elm Grove, 40 W. Va. 548, 1096ac
Horne v. Atlantic, &c., R. Co., 36 N. H. 440, 1144
v. Boston, &c., R. Co., 18 Fed. R. 50, 28
v. Boston, &c., R. Co., 62 N. H. 454, 339
v. Consolidated, &c., Co., 57 S. E. 19, 1782
Hornellsville, &c., Ry. Co. v. New York, &c., R. Co., 31 N. Y. Supp. 745, 1121
Horner v. Chicago, &c., R. Co., 38 Wis. 165, 941, 945
v. Eaton Rapids, 122 Mich. 117, 1096h
v. Lawrence, 37 N. J. L. 46, 231
v. Missouri, &c., R. Co., 70 Mo. App. 285, 1734, 1741
v. United States, 143 U. S. 207, 1688
v. Williams, 100 N. Car. 230, 1209
Horney v. Coldbrook, 65 Ill. App. 477, 1003b
Hornsby v. Eddy, 56 Fed. 461, 1341
v. Georgia, &c., Co., 120 Ga. 913, 1096da, 1096db
Hornstein v. Atlantic, &c., R. Co., 51 Pa. St. 87, 988, 995
v. Rhode Island Co., 26 R. I. 387, 1096cp
v. United R. Co., 195 Mo. 440, 1096bq
v. Virginia-Carolina R. Co., 102 Va. 914, 1250, 1689f, 1763
Hornthal v. Roanoke, &c., Co., 107 N. C. 76, 1449
Horseman v. Grand Trunk R. Co., 31 U. C. Q. B. 535, 1420
Horton v. Erie R. Co., 86 App. Div. (N. Y.) 379, 1593
v. Ft. Worth, &c., R. Co., 33 Tex. Civ. App. 150, 1829
v. Horton, 83 Hun, 213, 1696
v. New York Central, &c., R. Co., 12 Abb. N. Cas. (N. Y.) 30, 1049
v. St. Louis, &c., R. Co., 83 Mo. 541, 1218
v. Thompson, 71 N. Y. 513, 824, 843, 857, 862, 865, 879, 894, 903
v. Wilder, 48 Kan. 222, 241, 243
Horstman v. Covington, &c., R. Co., 18 B. Mon. (Ky.) 218, 937, 976, 977, 1057
Hosack v. College, &c., 5 Wend. 547, 235
Hosford v. Johnson, 74 Ind. 479, 512
Hosher v. Kansas City, &c., R. Co., 60 Mo. 329, 949, 1038
Hosic v. Chicago, &c., R. Co., 75 Ia. 683, 1274, 1301
Hoskison v. Central Vermont R. Co., 66 Vt. 618, 1243, 1243a
Hosmer v. Old Colony R. Co., 156 Mass. 506, 1398, 1498, 1608, 1645
Hospes v. Car Co., 48 Minn. 174, 604
v. Northwestern, &c., Co., 48 Minn. 174, 73, 90, 110, 175
Hostetter v. Baltimore, &c., R. Co. (Pa.) 11 Atl. Rep. 609, 1423
v. Pittsburgh, 107 Pa. St. 419, 1059
Hot Springs R. Co. v. Deloney, 65 Ark. 177, 1594
v. Tyler, 36 Ark. 205, 1025
Hot Springs R. Co. v. Williamson, 136 U. S. 121, 978, 1087
Hot Springs St. R. Co. v. Hildreth, 72 Ark. 572, 1096ce, 1096ch, 1174
v. Johnson, 64 Ark. 420, 1096aq, 1175
Hot Springs, &c., R. Co. v. Dial, 58 Ark. 318, 1255
v. Hudgins, 42 Ark. 485, 1694, 1715
v. Trippe, 42 Ark. 465, 1436, 1444, 1445
Hotchin v. Kent, 8 Mich. 526, 212, 229
Hotchkiss v. Artizans' Bank, 2 Abb. App. Dec. (N. Y.) 403, 1536
v. Auburn, &c., R. Co., 36 Barb. (N. Y.) 600, 968, 1025
v. National Banks, 21 Wall. (U. S.) 354, 484
Hotchkiss, &c., Co. v. Union, &c., Bank, 68 Fed. R. 76, 292
Hotel Co. v. Wade, 97 U. S. 13, 276, 509, 604
Hotel Runners' Com. v. Power, 7 Metc. (Mass.) 596, 200
Hotham v. East India Co., 1 T. R. 638, 940
Hottenstein v. Conrad, 9 Kan. 435, 558, 560
Houck v. Chicago, &c., R. Co., 116 Mo. App. 559, 1259
v. Southern, &c., R. Co., 38 Fed. 226, 1665
v. Wachter, 34 Md. 265, 1086
Houfe v. Fulton, 29 Wis. 296, 1174
Hougan v. Milwaukee, &c., R. Co., 35 Iowa, 558, 960, 977, 1057
Hough, Ex parte, 69 Fed. 330, 1663
Hough v. Buchanan, 27 Fed. 328, 806
v. Railway Co., 100 U. S. 213, 200, 1276, 1271, 1280, 1295, 1313, 1316, 1323
v. Rawson, 17 Ill. 588, 450
Houghkirk v. President, &c., of Canal Co., 92 N. Y. 219, 1157
Houghtaling v. Chicago, &c., R. Co., 117 Ia. 540, 1057d, 1057g
v. Lewis, 10 Johns. 297, 421
Houghton, Appeal of, 42 Cal. 35, 1053
Houghton v. Chicago, &c., R. Co., 99 Mich. 308, 1166, 1167
v. Louisville R. Co., 26 Ky. L. 393, 1831
Hounsell v. Smyth, 7 C. B. (N. S.) 731, 1154, 1249
Housatonic Bank v. Martin, 42 Mass. (1 Metc.) 294, 226
Housatonic, &c., R. Co. v. Knowles, 30 Conn. 313, 1180
v. Lee, &c., R. R. Co., 118 Mass. 391, 38, 41, 632, 926, 964, 966, 974, 1104
House v. House, 10 Paige Ch. 158, 389
v. Meyer, 100 Cal. 592, 1689c.
v. Rochester, 15 Barb. 517, 1015
Houser v. Chicago, &c., R. Co., 60 Iowa, 230, 1329, 1346
Houston v. Houston, &c., R. Co., 83 Tex. 548, 1077, 1080, 1081
v. Filer, &c., Co., 85 Fed. 757, 621b
v. Houston, &c., R. Co., 83 Tex. 548, 1077, 1080, 1081, 1096l, 1096m, 1096p, 1096q, 1096s
v. Jefferson College, 63 Pa. St. 428, 163, 608
v. Laffee, 46 N. H. 505, 949

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Houston v. National, &c., Assn., 80 Miss. 31, 529
v. Paterson, &c., Trac. Co., 69 N. J. L. 168, 1025
v. People, 55 Ill. 398, 918
v. Peters, 58 Ky. (1 Metc.) 558, 1725
v. Vicksburg Railroad Co., 39 La. Ann. 796, 1163, 1589
v. Walcott, 7 Iowa, 173, 625
v. Williams, 13 Cal. 24, 677
Houston City R. Co. v. Delesdermier, 84 Tex. 82, 1096ai, 1096cb, 1096cc
Houston City, &c., R. Co. v. Medlenka, 17 Tex. Civ. App. 621, 1096cc, 1790
Houston First National Bank v. Ewing, 103 Fed. 168, 590, 1071
Houston R. Co. v. Dotson, 15 Tex. Civ. App. 73, 1628
v. Rogers, 16 Tex. Civ. App. 19, 1627a
Houston, &c., Nav. Co. v. Insurance Co., 89 Tex. 1, 1499
Houston, &c., R. Co. v. Adams, 49 Tex. 748, 1519, 1523, 1526, 1535
v. Adams, 58 Tex. 476, 937
v. Adams, 63 Tex. 200, 996
v. Anderson, 98 S. W. 440, 1634
v. Anglin, 89 S. W. 966, 1699
v. Atlas, &c., Works, 71 S. W. 792, 1203
v. Barr, 99 S. W. 437, 1057g
v. Barrager (Tex.), 14 S. W. 242, 1296
v. Batchler, 83 S. W. 902, 1800, 1825, 1836
v. Bath, 90 S. W. 55, 1689i
v. Beard, 93 S. W. 532, 1154, 1179f
v. Bird, 48 S. W. 756, 1820
v. Blan, 62 S. W. 552, 1264, 1850
v. Boehm, 57 Tex. 152, 1812
v. Bolling, 59 Ark. 395, 1580, 1629
v. Boozer, 70 Tex. 530, 1151a, 1261, 1822
v. Bowen, 36 Tex. Civ. App. 165, 1255
v. Bradley, 45 Tex. 171, 1376
v. Brin, 77 Tex. 174, 1163
v. Buchanan, 84 S. W. 1073, 1747
v. Buchanan, 94 S. W. 199, 722a, 1557
v. Burke, 55 Tex. 323, 1421, 1728
v. Byrd, 61 S. W. 147, 1173
v. Carson, 66 Tex. 345, 1157
v. Chaffin, 60 Tex. 553, 1007
v. Clemmons, 55 Tex. 88, 1581, 1631
v. Crawford (Tex. Civ. App.), 32 S. W. 155, 581, 1314
v. Cluck, 84 S. W. 852, 1783
v. Cowser, 57 Tex. 293, 1802
v. Dallas, 98 Tex. 396, 671a, 1057a, 1082a, 1102
v. Dallas, 84 S. W. 648, 950
v. Dallas, 78 S. W. 525, 1098
v. Davis, 100 S. W. 1013, 1049f, 1049g
v. Davis (Tex. Civ. App.), 31 S. W. 308, 1508
v. Davis, 11 Tex. Civ. App. 24, 1510
v. Dillard, 94 S. W. 426, 1850
v. Dillon, 3 Tex. Civ. App. 303, 1262
v. Dunham, 49 Tex. 181, 1268
v. Evans, 92 S. W. 1077, 1151
v. Fanning, 91 S. W. 344, 1814
v. Farrell (Tex. Civ. App.), 27 S. W. 942, 1096cq, 1697
Houston, &c., R. Co. v. Foster, 86 S. W. 44, 1730
v. Glosson, 1 Tex. App. (Civ. Cas.) 89, 1695
v. Gray, 85 S. W. 838, 1750, 1754
v. Harn, 44 Tex. 628, 1392, 1393
v. Harry, 63 Tex. 256, 715
v. Hill, 63 Tex. 381, 303, 364
v. Hodde, 42 Tex. 467, 1413
v. Hughes, 31 S. W. 556, 1727
v. Insurance Co., 89 Tex. 1, 1673
v. Jackson, 62 Tex. 209, 1730
v. Jackson, 61 S. W. 440, 1815
v. Jageman, 23 S. W. 628, 1848
v. Kansas City, &c., R. Co., 109 La. 581, 975, 1053
v. Keller (Tex.), 28 S. W. 724, 526
v. Kelly (Tex.), 34 S. W. 809, 1301
v. Knapp, 51 Tex. 592, 1037, 1038
v. Kothmann, 84 S. W. 1089, 1747, 1754
v. Lee, 69 Tex. 556, 1634
v. Lensing, 75 S. W. 826, 1057g
v. Leslie, 57 Tex. 83, 1799
v. McCarty, 94 Tex. 298, 1377
v. McCarty, 89 S. W. 805, 1641, 1704
v. McFaden, 91 Tex. 194, 581
v. McKinney, 55 Tex. 176, 935
v. Mayes, 201 U. S. 321, 1662c
v. Meader, 50 Tex. 77, 1063, 1186
v. Milburn, 34 Tex. 224, 1012, 1041, 1046a
v. Miller, 49 Tex. 322, 1822
v. Moore, 49 Tex. 31, 200, 1282, 1376, 1576, 1581
v. Moss, 63 S. W. 894, 1833
v. Muldrow, 54 Tex. 233, 1218
v. Myers, 55 Tex. 110, 1303
v. Ney, 58 S. W. 43, 1728, 1734
v. Nixon, 52 Tex. 19, 1158
v. Norris, 41 S. W. 708, 1784, 1830
v. O'Donnell, 92 S. W. 409, 1257, 1689i
v. O'Donnell, 90 S. W. 886, 1849, 1850, 1851
v. Odum, 53 Tex. 343, 1087
v. Parker, 50 Tex. 330, 1057d
v. Phillio, 96 Tex. 18, 1639
v. Pinto, 60 Tex. 516, 1272
v. Poras (Tex. Civ. App.), 29 S. W. 945, 1161
v. Postal, &c., Co., 18 Tex. Civ. App. 502, 1025, 1027, 1029
v. Presidio County, 53 Tex. 518, 751b
v. Ramsey, 81 S. W. 825, 1849
v. Ramsey, 97 S. W. 1067, 1153
v. Randolph, 24 Tex. 317, 700
v. Rehm, 36 Tex. Civ. App. 553, 1704
v. Richards, 20 Tex. Civ. App. 203, 1846
v. Ritter, 16 Tex. Civ. App. 482, 1689l, 1837
v. Roberts (Tex. Sup.), 19 S. W. 512, 577
v. Ross (Tex. Civ. App.), 28 S. W. 254, 1635
v. Rowell, 92 Tex. 147, 1820
v. Rust, 58 Tex. 98, 364, 388, 1677
v. Sagalinski, 19 Tex. Civ. App. 107, 1158
v. Scott, 89 S. W. 763, 1746
v. Seale, 28 Tex. Civ. App. 364, 1651, 1662a
v. Shirley, 54 Tex. 125, 324, 326, 329, 334, 338, 526, 532
v. Shirley, 111 U. S. 358, 647, 653

Digitized by Google

[References are to Sections—Vol. I, §§ 1–656a; Vol. II, §§ 657–1075; Vol. III, §§ 1076–1390; Vol. IV, §§ 1391–1851.]

Houston, &c., R. Co. v. Simpson, 60 Tex. 103, 1172, 1261
v. Simpson, 81 S. W. 353, 1815
v. Smith, 63 Tex. 392, 1465, 1466, 1468, 1470, 1691, 1707
v. Smith, 38 S. W. 51, 1288, 1290
v. Smith, 97 S. W. 836, 1438, 1468, 1501, 1502
v. Smith, 77 Tex. 179, 1261
v. Stewart, 1 Tex. App. (Civ. Cas.) 718, 1692
v. Storey, 149 Fed. 499, 1670a, 1670c
v. Storrie, 44 S. W. 693, 787a
v. Sympkins, 54 Tex. 615, 1152, 1172
v. Stuart, 48 S. W. 799, 1820, 1829
v. Summers, 49 S. W. 1106, 1842
v. Terry, 42 Tex. 451, 1204
v. Texas, &c., R. Co., 70 Tex. 649, 43
v. Trentum, 63 Tex. 442, 1060
v. Trammell, 28 Tex. Civ. App. 312, 1749
v. Turner, 34 Tex. Civ. App. 397, 1313
v. Van Alstyne, 56 Tex. 439, 276
v. Washington, 30 S. W. 719, 1579, 1638
v. White, 61 S. W. 436, 1815, 1816
v. Wilkins, 98 S. W. 202, 1549, 1838
v. Williams, 31 S. W. 556, 1664, 1728, 1734
v. Wilson, 60 Tex. 142, 1155
v. Woodlock, Tex. Civ. App. 29 S. W. 817, 1096cq
Houston, &c., Co. v. Insurance Co. (Tex.), 32 S. W. 889, 1673
v. Insurance Co. (Tex.) 31 S. W. 560, 1673
Houts v. St. Louis Transit Co., 108 Mo. App. 686, 1307, 1315g, 1333c
Hovarke v. St. Louis, &c., R. Co., 191 Mo. 441, 1096br
Hovelman v. Kansas City Horse R. Co., 79 Mo. 632, 1096u, 1096ac
Hovenden v. Pennsylvania R. Co., 180 Pa. St. 731, 1168, 1170, 1179i
Hover v. Chicago, &c., R. Co., 89 S. W. 1084, 1278, 1796
Hovey v. Blanchard, 13 N. H. 145, 226
v. Elliott, 167 U. S. 409, 665
v. McDonald, 109 U. S. 150, 583
v. Michigan, &c., Co., 124 Mich. 607, 1096cm
v. State, 119 Ind. 386, 40
Hovorka v. Minneapolis, &c., R. Co., 31 Minn. 221, 1187, 1200
How v. Field, 5 Mass. 390, 626
v. Jones, 60 Iowa, 70, 583
Howard v. Alleghany, &c., R. Co., 69 Pa. St. 489, 1059
v. Bennett, 58 L. J. (Q. B.) 129, 1356
v. Chesapeake, &c., R. Co., 11 App. Cas. (D. C.) 300, 444
v. Chicago, &c., R. Co., 61 Miss. 194, 1593, 1598, 1601
v. Delaware, &c., R. Co., 40 Fed. 195, 1298, 1359, 1368, 1378, 1378a
v. Denver, &c., R. Co., 26 Fed. 837, 1301
v. Drainage Comrs., 126 Ill. 53, 1053
v. Glenn, 85 Ga. 238, 131, 181, 183
v. Gold, &c., Co., 102 Fed. 657, 29
Howard v. Illinois Cent. R. Co., 148 Fed. 997, 1358c
v. Indianapolis St. R. Co., 29 Ind. App. 514, 1689g
v. Kansas City, &c., R. Co., 41 Kan. 403, 1163, 1169
v. Louisville, &c., R. Co., 67 Miss. 247, 1205
v. McCabe, 112 N. W. 305, 1818
v. Macondray, 7 Gray (Mass.), 516, 1572
v. Maysville, &c., R. Co., 24 Ky. L. 1051, 1188
v. Milwaukee, &c., R. Co., 7 Biss. (U. S.) 73, 512
v. Palmer, Walk. (Mich.) 391, 575
v. Pensacola, &c., R. Co., 24 Fla. 560, 1060
v. Perine, 200 U. S. 71, 796
v. Proprietors of Locks and Canals, 12 Cush. (Mass.) 259, 1010
v. Railway Co., 101 U. S. 837, 1072
v. St. Paul, &c., R. Co., 32 Minn. 214, 1162
v. Savannah, T. Chart. (Ga.) 173, 193
v. Savannah, &c., R. Co., 84 Ga. 711, 1689i
v. Tucker, 1 B. & Ad. 712, 1075
v. Turner, 155 Pa. St. 349, 132
v. Union F. R. Co., 156 Mass. 159, 6
Howard County v. Baker, 119 Mo. 397, 1060a
v. Booneville, &c., Bank, 108 U. S. 314, 886, 923
v. Legg, 93 Ind. 523, 1378a
v. Paddock, 110 U. S. 384, 895
Howarth v. Angle, 162 N. Y. 179, 570
Howbeach, &c., Co. v. Teague, 5 H. & N. 151, 136
Howe v. Chicago, &c., R. Co., 139 Mich. 638, 1817
v. Cincinnati, &c., R. Co., 10 Ohio Circ. Dec. 182, 1539a, 1544
v. Deuel, 43 Barb. (N. Y.) 504, 51, 538
v. Finch, 17 Q. B. D. 187, 1338
v. Harding, 76 Tex. 17, 567, 579
v. Illinois, &c., Works, 46 Ill. App. 85, 175
v. Jones, 57 Iowa, 130, 556
v. Minneapolis, &c., R. Co., 62 Minn. 71, 1174, 1179b
v. Omhart, 7 Ind. App. 32, 1249
v. Oswego, &c., R. Co., 56 Barb. 121, 1481
v. Robinson, 20 Fla. 352, 611, 613
v. St. Clair, 8 Tex. Civ. App. 101, 1306
v. Starkweather, 17 Mass. 240, 72
v. Stewart, 40 Vt. 145, 1539
v. West End. St. R. Co., 167 Mass. 46, 1096c
Howe, &c., Co. v. Gage, 100 U. S. 676, 764
v. Sanford, &c., Co., 44 Fed. R. 231, 604
Howell v. Buffalo, 37 N. Y. 267, 825
v. Chicago, &c., R. R. Co., 51 Barb. (N. Y.) 378, 24, 55, 312, 313, 317, 321
v. Crawford, 77 Ark. 12, 604
v. Grand Trunk R. Co., 92 Hun (N. Y.), 423, 1538a, 1652a, 1659
v. Howell, 15 Wis. 55, 1373

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Howell v. Lansing City Elec. R. Co., 136 Mich. 432, 1845
v. Manglesdorf, 33 Kan. 194, 189
v. New York, &c., R. Co., 2 Interst. Com. Com. 272, 1683, 1684
v. New York, &c., R. Co., 2 Interst. Com. 162, 272, 1683
v. Ripley, 10 Paige, 43, 549, 555
v. Western, &c., R. Co., 94 U. S. 463, 507, 509, 522, 530
Howells v. Steel Co., L. R. 10 Q. B. 62, 1317
Howenstein v. Pacific, &c., R. Co., 55 Mo. 33, 1206
Hower v. Ulrich, 156 Pa. St. 410, 1265
Howes v. Davis, 4 Abb. Pr. (N. Y.) 71, 585
v. Reliance Wire Works Co., 46 Minn. 44, 1068
Howey v. Lake Shore, &c., R. Co., 34 N. Y. Supp. 1089, 1296
Howland v. Chicago, &c., R. Co., 134 Mo. 474, 627
v. Eldeige, 43 N. Y. 457, 863
v. Milwaukee, &c., R. Co., 54 Wis. 226, 1645
v. Myer, 3 N. Y. 290, 286
v. Oakland Consol. St. R. Co., 110 Cal. 513, 1782
v. Union, &c., R. Co., 150 Mass. 86, 1096cp
Howser v. Cumberland, &c., R. Co., 80 Md. 146, 1263
Hoye v. Chicago, &c., R. Co., 62 Wis. 666, 1163, 1171
v. Chicago, &c., R. Co., 67 Wis. 1, 1157
Hoylake, In re, L. R. 9 Chan. App. C. 257, 101
Hoyle v. Excelsior, &c., Co., 95 Ga. 34, 1283
v. Plattsburg, &c., R. R. Co., 54 N. Y. 314, 31, 169, 275, 276, 389, 494, 535
Hoyt v. Chicago, &c., R. Co., 93 Ill. 601, 33, 1056b, 1518, 1678
v. Chicago, &c., R. Co., 117 Ia. 296, 1039
v. Cleveland R. Co., 112 Mich. 638, 1627a
v. East Saginaw, 19 Mich. 39, 781
v. Jeffers, 30 Mich. 181, 1231, 1243a
v. Kimball, 49 N. H. 322, 943
v. Metropolitan St. R. Co., 175 N. Y. 502, 1812
v. New York, &c., R. Co., 118 N. Y. 399, 1792
v. Quicksilver Mining Co., 17 Hun (N. Y.), 169, 82
v. Thompson, 5 N. Y. 320, 263, 411, 491, 570
v. Thompson, 19 N. Y. 207, 224, 236, 251, 254, 257, 350, 440
v. Wright, 4 Fed. 168, 655
v. Wright, 1 McCrary (U. S. C. C.), 130, 655
Hozier v. Caledonian Ry. Co., 1 Nev. & MacN. 27, 1467, 1676, 1684
Huba v. Schnectady R. Co., 85 App. Div. (N. Y.) 199, 1837
Hubbard v. Androscoggin, &c., R. Co., 39 Me. 506, 1243a
v. Boston, &c., R. Co., 162 Mass. 132, 1161
v. Camperdown Mills, 26 S. Car. 581, 872
v. Goss, 157 Ind. 485, 771
Hubbard v. Guild, 1 Duer (N. Y.), 662, 561
v. Harnden Ex. Co., 10 R. I. 244, 1393, 1516
v. Harrison, 38 Ind. 323, 510
v. International Mercantile Agency, N. J. Cn. 59 Atl. 24, 127
Hull v. Marshall County, 12 Iowa, 142, 806
Hull v. Sacramento, &c., R. Co., 14 Cal. 387, 1244
v. Kansas City R. Co., 63 Mo. 68, 935, 942
v. New York, &c., R. Co., 14 Abb. Pr. (N. Y.) 275, 484
v. Weare, 79 Iowa, 678, 313
Hubbell v. Dana, 9 How. Pr. (N. Y.) 424, 572
v. Meigs, 50 N. Y. 480, 171
Hubbersty v. Ward, 8 Ex. 330, 1419, 1431
Hubenthal v. Spokane R. Co., 86 Pac. 955, 1689i
Huber v. Chicago, &c., R. Co., 6 Dak. 392, 1213
v. LaCrosse, &c., R. Co. (Wis.), 66 S. W. 708, 1584, 1689f
v. Martin (Wis.), 105 N. W. 1031, 531, 611
Hubgh v. New Orleans, &c., R. Co., 6 La. Ann. 495, 1359
Huck v. Chicago, &c., R. Co., 86 Ill. 352, 456
v. Gaylord, 50 Tex. 578, 1061
Huckenstine's Appeal, 70 Pa. St. 102, 631
Hucker v. Railroad Co., 7 Ky. L. 761, 1150
Huckshold v. St. Louis, &c., R. Co., 90 Mo. 548, 1155, 1704
Huddleston v. Borough of West Bellvue, 111 Pa. St. 110, 977
v. Lowell Machine Shops, 106 Mass. 282, 1271
Hudson v. Baxendale, 2 Hurls. & N. 575, 1463
v. Baxendale, 27 L. J. Exch. 93, 1481
v. Charleston, &c., R. Co., 55 Fed. 248, 1314, 1697
v. Chicago, &c., R. Co., 59 Iowa, 581, 1177, 1796
v. Kansas Pac. R. Co., 3 McCrary (U. S. C. C.), 249, 1599
v. Leeds, &c., R. Co., 16 Q. B. 796, 949
v. McCartney, 33 Wis. 331, 1059
v. Midland R. Co., L. R. 4 Q. B. 366, 1647
v. Northern Pacific R. Co. 92 Iowa, 231, 1497, 1506, 1514, 1555, 1724
v. Northern Pac. R. Co. (Iowa) 61 Am. & Eng. R. Cas. 329, 1497
v. Peoples St. R. Co., 175 Mass. 23, 1315h
v. Rome, &c., R. Co., 145, N. Y. 408, 1299, 1689f, 1702, 1703
v. St. Louis, &c., R. Co., 53 Mo. 525, 621
v. Thorne, 7 Paige, N. Y. 261, 1096t
v. Wabash, &c., R. Co., 101 Mo. 13, 1169, 1771
v. Wabash, &c., R. Co., 123 Mo. 445, 1169
Hudson Canal Co. v. Pennsylvania, &c., Co., 8 Wall. 276, 812, 1423, 1494

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hudson County v. Central R. Co., 59 Atl. 303, 1106
Hudson Real Estate Co. v. Tower, 156 Mass. 82, 102
Hudson River R. Co. v. Outwater, 3 Sandf. (N. Y.) 689, 930, 945, 1031
Hudson River Tel. Co. v. Watervliet, &c., Co., 9 N. Y. Supp. 177, 1080
v. Watervliet, &c., Co., 135 N. Y. 393, 8, 1096r
v. Watervliet, &c., Co., 56 Hun, 67, 32, 38
Hudson, &c., Canal Co. v. New York, &c., R. Co., 9 Paige Ch. (N. Y.) 323, 930, 1049
Huelsenkamp v. Citizens', &c., R. Co., 37 Mo. 537, 1584
Huerzeler v. Central Crosstown R. Co., 1 Misc. N. Y 136, 1096cq
v. Central, &c., R. Co., 139 N. Y. 490, 1259, 1261, 1262
Hueston v. Eaton, &c., R. Co., 4 Ohio St. 685, 1048
Huey v. Indianapolis, &c., R. Co., 45 Ind. 320, 1186
v. Macon County, 35 Fed. 481, 486
Huff v. Ames, 16 Neb. 139, 1262
v. Austin, 46 Ohio St. 386, 1299
v. Chesapeake, &c., R. Co., 48 W. Va. 45, 1248, 1250, 1258
v. Missouri, &c., R. Co., 17 Mo. App. 356, 1245a
Huffman v. Chicago, &c., R. Co., 78 Mo. 50, 1292
Huffman, &c., Co. v. Cumberland, &c., Co., 16 Md. 456, 275
Hufford v. Grand Rapids, &c., R. Co., 64 Mich. 631, 1576, 1594, 1637
Hugenot, &c., Bank v. Studwell, 6 Daly (N. Y.) 13, 248
Huggart v. Missouri Pac. R. Co., 134 Mo. 673, 1179b
Huggins v. Southern R. Co., 41 So. 856, 1296
Hugh v. McRae, Chase 466, 545, 551
Hughes v. Antietam, &c., Co., 34 Md. 316, 102, 111a, 130, 141, 149, 153
v. Baltimore, &c., R. Co., 164 Pa. St. 178, 1284
v. Chicago, &c., R. Co., 122 Wis. 258, 1850
v. Cincinnati, &c., R. Co., 39 Ohio St. 461, 1063, 1064
v. Commissioners, 107 N. C. 598, 467
v. Delaware, &c., Canal Co., 176 Pa. St. 254, 1179l
v. Galveston, &c., R. Co., 67 Tex. 595, 1257
v. Great Western, &c., R. Co., 14 C. B. 637, 1484, 1520, 1694
v. Lake Erie, &c., R. Co., R. Co., 21 Ind. 175, 1014
v. Lansing, 34 Ore. 118, 1075
v. New York Cent. &c., R. Co., 36 N. Y. Super. Ct. 222, 1701, 1789
v. Northern Pacific R. Co., 18 Fed. 106, 966
v. Oregonian R. Co., 11 Ore. 158, 182, 624
v. Parker, 19 N. H. 181, 206
v. Pennsylvania R. Co., 202 Pa. St. 222, 1494, 1506
v. Percival, L. R. 8 H. L. 443, 1096ar
Hughes v. Pullman, &c., Co., 74 Fed. 499, 1621, 1640
v. Sellers, 34 Ind. 337, 1041
v. State, 103 Ind. 344, 733
v. Sun Mut. Ins. Co., 100 N. Y. 58, 1562
v. Todd, 2 Duv. 188, 983
v. Winona, &c., R. Co., 27 Minn. 137, 1269, 1289
Hughes Co. v. Livingston, 104 Fed. 306, 906
Hughesdale, &c., Co. v. Vanner, 12 R. I. 491, 19
Hughey v. Walker, 71 Ark. 644, 1049
Hughlett v. Ozark, &c., Co., 53 Mo. App. 87, 1321, 1323
Hughson v. Richmond, &c., R. Co., 2 D. C. App. 98, 1320, 1578
Hugo v. Great Western, &c., R. Co., 16 U. C. Q. B. 506, 1137
Huguenin v. Basely, 13 Ves. 105, 549
Huhn v. Missouri Pac. R. Co., 92 Mo. 440, 1272a
Huidekoper v. Dallas County, 3 Dill. (U. S.) 171, 842
v. Locomotive Works, 99 U. S. 258, 528
Hukill v. Maysville, &c., R. Co., 72 Fed. 745, 472, 473
Hukle v. Atchison, &c., R. Co., 71 Kan. 251, 526
Hulbert v. New York, &c., R. Co., 40 N. Y. 145, 1590
v. Topeka, 34 Fed. 510, 1375, 1376
Hulehan v. Green Bay, &c., R. Co., 68 Wis. 520, 1268, 1300, 1820
Hulett v. St. Louis, &c., Railway Co., 67 Mo. 239, 1296
Hulick v. Scovil, 4 Gilm. (Ill.) 159, 409
Hullen v. Chicago, &c., R. Co., 107 Wis. 122, 1297
Huling v. Kaw Valley, &c., R. Co., 130 U. S. 559, 1018, 1019, 1023, 1046a
Hull v. Chicago, &c., R. Co., 21 Neb. 371, 1020, 1023, 1033, 1055
v. Chicago, &c., R. Co., 65 Iowa, 713, 945, 1188
v. Chicago, &c., R. Co., 41 Minn. 510, 1516
v. East Line, &c., Co., 66 Tex. 619, 213, 302, 1689h
v. Welsh, 82 Iowa, 117, 713
Hullin v. Second Municipality, 11 Rob. (La.) 97, 1031, 1033
Humaston v. Telegraph Co., 20 Wall. 20, 1059
Humbert v. Brooklyn Cable St. R. Co., 12 N. Y. St. 172, 1096cc
Humbolt, The, 97 Fed. 656, 1654
Humbolt, &c., Assn. v. Stevens, 34 Neb. 528, 87
Humbolt Min. Co. v. American, &c., Co., 62 Fed. 356, 481
Humbolt Township v. Long, 92 U. S. 642, 898, 900
Hume v. Winyah Canal Co., Carolina L. J., vol. 1, 217, 147
Humes v. Missouri Pac. R. Co., 71 Mo. 434, 1219
Humeston, &c., R. Co., v. Chicago, &c., R. Co., 74 Iowa, 554, 1122, 1125
Hummel v. Cumberland, &c., R. Co., 175 Pa. St. 537, 931
v. First Nat. Bank, 2 Colo. App. 571, 617

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Humphries v. Davis, 110 Ind. 274, 697, 834
Humphrey v. Mooney, 5 Colo. 282, 190, 246, 619
v. People, 18 Hun, 393, 266
v. Thorn, 63 Ind. 296, 1544
v. Valley R. Co., 100 Va. 169, 1153
Humphreys v. Allen, 101 Ill. 490, 590, 591, 596
v. Ft. Smith, &c., Power Co. 71 Ark. 152, 1008, 1096be
v. Hopkins, 81 Cal. 551, 555, 570, 624, 626
v. McKissock, 140 U. S. 304, 170, 174, 439, 495, 497
v. Pegues, 16 Wall. (U. S.) 244, 613, 745
v. Perry, 148 U. S. 627, 1491, 1648, 1649
v. Reed, 6 Whart. 435, 1708
v. Richmond, &c., R. Co., 88 Va. 431, 937
v. St. Louis, I. M. & S. R. Co., 37 Fed. R. 307, 164, 323, 438, 439, 451
Humphreys County v. McAdoo, 7 Heisk. 585, 917
Hun v. Cary, 82 N. Y. 65, 278, 280
Hungerford v. Chicago, &c., R. Co., 41 Minn. 444, 1279, 1283
v. Winnebago, &c., Co., 33 Wis. 303, 1521
Hunn v. Michigan, &c., R. Co., 78 Mich. 513, 1288, 1322, 1378
Hunnewell v. Cass County, 22 Wall. 464, 779
v. Taber, 2 Sprague (U. S. C. C.) 1, 1481, 1515
Hunt, Appellant, 141 Mass. 515, 94
Hunt v. Bay State, &c., Co., 97 Mass. 279, 389
v. Bullock, 23 Ill. 320, 389, 495, 498
v. Card, 94 Me. 386, 1689h
v. Chicago, &c., R. Co., 26 Iowa, 363, 1268
v. Columbian Ins. Co., 55 Me. 290, 555, 609
v. Conner, 26 Ind. App. 41, 577, 1378a
v. Haskell, 24 Me. 339, 1562, 1571
v. Hauser Malting Co., 90 Minn. 282, 373
v. Iowa, &c., R. Co., 86 Iowa, 15, 937, 1005, 1057
v. Kane, 100 Fed. 256, 1272a, 1310
v. Kansas & Missouri Bridge Co., 11 Kan. 412, 18
v. Le Grand, &c., Co., 143 Ill. 118, 609
v. Lake Shore, &c., R. Co., 112 Ind. 69, 1193
v. Lowell, &c., R. Co., 1 Allen, 343, 1292
v. Michigan, &c., R. Co., 37 N. Y. 162, 1450
v. Mississippi, &c., R. Co., 29 La. Ann. 446, 1416, 1419, 1428
v. Missouri, &c., R. Co. (Tex. Civ. App.) 31 S. W. 523, 1567
v. Missouri Pac. R. Co., 75 Mo. 252, 998
v. Missouri, &c., R. Co., 74 S. W. 69, 1457a
v. New York, &c., R. Co., 99 Ind. 593, 1029
v. Nutt, 27 S. W. 1031, 1448, 1480
Hunt v. Pennsylvania R. Co., 51 Pa. St. 475, 1063
v. School Dist., 14 Vt. 300, 164, 261
v. Smith, 9 Kan. 137, 1041, 1042
v. The Propeller Cleveland, 6 McLean, 76, 1534
v. Upton (Wash.) 87 Pac. 56, 117, 121
Hunter v. Atlantic Coast Line R. Co., 72 S. Car. 336, 1630a, 1642, 1643
v. Burlington, &c., R. Co., 76 Iowa, 490, 526, 1149
v. Case, 20 Vt. 195, 626
v. Columbia, &c., R. Co., 41 S. Car. 86, 1223, 1237
v. Cooperstown, &c., R. Co., 126 N. Y. 18, 1628, 1846
v. Cooperstown, &c., R. Co., 112 N. Y. 371, 1628, 1643
v. Durand, 137 Mich. 53, 1807
v. Farren, 127 Mass. 481, 1057
v. Jones, 13 Minn. 307, 1052
v. Matthews, 1 Rob. (Va.) 468, 1019
v. Mayor of Newport, 5 R. I. 325, 1042
v. Montana Cent. R. Co., 22 Mont. 525, 1689g
v. New York, &c., R. Co., 116 N. Y. 615, 1703
v. Roberts, 83 Mich. 63, 312, 634
v. Southern P. R. Co., 76 Tex. 195, 1433, 1435, 1438, 1466
v. Stewart, 47 Me. 419, 1696
v. Sun Mutual, &c., Co., 26 La. Ann. 13, 192, 271
v. Watson, 12 Cal. 363, 409
v. Wooldert, 55 Tex. 433, 527a
Hunter Stone Co. v. Woodard, 152 Ind. 474, 751
Huntingburgh v. First, 22 Ind. App. 66, 1689g
v. First, 15 Ind. App. 552, 1702
Huntingdon, &c., R. Co. v. Decker, 82 Pa. St. 119, 269
v. Decker, 84 Pa. St. 419, 1284, 1378 1378a
Huntington v. Attrill, 146 U. S. 657, 710, 713, 768
v. Attrill, 118 N. Y. 365, 266, 297, 1365
v. Central Pacific, &c., Co., 2 Sawy. (U. S. Cir.) 503, 737
v. Pease, 56 Ind. 305, 1698
v. Risdon, 43 Iowa, 517, 625
v. Worthen, 120 U. S. 97, 736
Huntington County v. Kauffman, 126 Pa. St. 305, 1053
Huntley Mfg. Co. v. Michigan Cent. R. Co., 76 Ill. App. 387, 1066
Huntress, The, 2 Ware (U. S.), 89, 1526
Huntsville, &c., Co. v. Corpening, 97 Ala. 681, 210, 218
Huntting v. Hartford St. R. Co., 73 Conn. 179, 436
Hurd v. City of Elizabeth, 41 N. J. Law, 1, 555, 570
v. Columbus Ins. Co., 55 Me. 228, 555
v. Rutland, &c., R. Co., 25 Vt. 116, 972, 1180, 1189, 1200
Hurford v. Omaha, 4 Neb. 336, 781, 783
Hurlbert v. New York, &c., R. Co., 40 N. Y. 145, 1641
Hurlburt v. Hicks, 17 Vt. 193, 626

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Hurlburt v. Lake Shore, &c., R. Co., 2 Interst. Com. R. 81, 1672, 1678
Hurlbut v. Carter, 21 Barb. 221, 67, 602
v. Marshall, 62 Wis. 590, 203, 206
v. Tayler, 62 Wis. 607, 315
v. Wabash R. Co., 130 Mo. 657, 1314
Hurley v. Brown, 98 Mass. 545, 422
v. Missouri, &c., R. Co., 57 Mo. App. 675, 1365
Hurniker v. Contoocook Valley R. Co., 29 N. H. 146, 1048
Huron v. Second Ward Sav. Bank, 86 Fed. 272, 913
Hursh v. First Division St. Paul, &c., R. Co., 17 Minn. 439, 1055
v. Hursh, 99 Ind. 500, 558
Hurst v. Burnside, 12 Ore. 520, 1173
v. Chicago, &c., R. Co., 49 Ia. 76, 1303
v. Coe, 30 W. Va. 158, 609
v. Detroit, &c., R. Co., 84 Mich. 539, 1361a, 1375
v. Great Western R. Co., 19 C. B. (N. S.) 310, 1576
v. Kansas City, &c., R. Co., 103 Mo. 309, 1313
Hurt v. Atlantic, 100 Ga. 274, 1091
v. Hamilton, 25 Kan. 76, 828, 853, 855
v. Hollingsworth, 100 U. S. 100, 656
v. St. Paul, &c., R. Co., 39 Minn. 485, 1194
v. St. Louis, &c., R. Co., 94 Mo. 255, 1628, 1826
v. Salisbury, 55 Mo. 310, 13, 18, 190
Hurtado v. California, 110 U. S. 535, 771
Hurtin v. Union Ins. Co., 1 Wash. (U. S. C. C.) 530, 1562
Hurwitz v. Packet Co., 27 Misc. (N. Y.) 814, 1649a
Husey v. Norfolk, &c., Co., 98 N. C. 34, 213
Huskins v. Cincinnati, &c., R. Co., 37 Fed. R. 504, 651, 653
Huss v. Stephens, 51 Pa. St. 282, 409
Hussey v. Coger, 112 N. Y. 614, 1318, 1319
v. Norfolk, &c., R. Co., 98 N. C. 34, 368
v. The Saragossa, 3 Woods (U. S. C. C.) 380, 1516, 1535, 1548
Hussner v. Brooklyn City R. Co., 96 N. Y. 18, 1029, 1085, 1090
v. Brooklyn City R. Co., 114 N. Y. 433, 1096ao
Huston's Appeal, 18 Atl. R. 419, 532, 534
Huston v. Cincinnati, &c., R. Co., 21 Ohio St. 235, 416, 1188
v. Clark, 112 Ill. 344, 1022
v. Wabash, &c., R. Co., 2 Mo. App. R. 941, 1691
Hutchels v. Cedar Rapids, &c., R. Co., 128 Ia. 279, 1812
Hutchings v. Western R., 71 Am. Dec. 160, 1649
v. Western R. Co., 25 Ga. 61, 1647
Hutchins v. Pennsylvania R. Co., 181 N. Y. 186, 1594a, 1596
v. St. Paul, &c., R. Co., 44 Minn. 5, 1378
Hutchinson v. Chicago, &c., R. Co., 37 Wis. 582, 991, 1550
v. Green, 91 Mo. 367, 602
Hutchinson v. Missouri Pac. R. Co., 161 Mo. 246, 1096cf
v. New Sharon, &c., R. Co., 63 Iowa, 727, 1058
v. Parkersburg, 25 W. Va. 226, 1000a
v. Railroad, 88 Mo. App. 383, 1096cq
v. Self, 153 Ill. 542, 875
v. Surrey, &c., Assn., 11 Com. B. 689, 14
v. Sutton, &c., Co., 57 Fed. R. 998, 275
v. York, &c., R. Co., 45 Wis. 477, 1268
v. York, &c., Co., 5 Exch. 343, 234, 1300, 1307, 1316
Hutchinson, &c., R. Co. v. Board of Com., 48 Kan. 70, 871
Hutchison v. Chicago, &c., R. Co., 37 Minn. 524, 1493
v. Southern R. Co., 140 N. Car. 123, 682a
v. Western, &c., R. Co., 6 Heisk. (Tenn.) 634, 368
Hutson v. Missouri Pac. R. Co., 50 Mo. App. 300, 1319
Huttig Bros., &c., Co. v. Denny, &c., Co., 6 Wash. 122, 1068
Hutton v. Camden, 10 Vroom (N. J.), 122, 664
v. Scarborough, &c., Co., 4 DeG., J. & S. 672, 82
v. West Cork R. Co., 23 Ch. Div. 654, 342
Hutts v. Martin, 134 Ind. 587, 516
Huyett v. Philadelphia, &c., R. Co., 23 Pa. St. 373, 1221, 1244
Hyatt v. Adams, 16 Mich. 180, 1359, 1821
v. Allen, 56 N. Y. 553, 84, 304, 309
v. Hannibal, &c., R. Co., 19 Mo. App. 287, 1815
Hyde v. Fall River, 189 Mass. 439, 978
v. Missouri Pac. R. Co., 110 Mo. 272, 33
v. New York, &c., S. S. Co., 17 La. Ann. 29, 1422
v. Stone, 20 How. 170, 1371
v. Trent, &c., Co., 5 T. R. 320, 1455
v. Trent, &c., Co., 11 Exch. 618, 1481
v. Union Pac. R. Co., 7 Utah, 356, 1257
v. Wabash, &c., Ry. Co., 61 Iowa, 441, 1364, 1373
Hyde Park v. Dunham, 85 Ill. 569, 1035a
v. Oakwood, &c., Assn., 119 Ill. 141, 964, 968
Hyde Park, &c., Co. v. Kerber, 5 Bradw. (Ill.) 132, 550
Hydell v. Toledo, &c., R. Co., 77 N. E. 1066, 1117, 1122a
Hyer v. Chamberlain, 46 Fed. 341, 1204
Hyland v. Brazil, &c., Co., 128 Ind. 335, 697, 736, 771
v. Short Route R. Transfer Co. 10 Ky. L. R. 900, 630
v. Yonkers, &c., R. Co., 4 N. Y. S. 305, 1096cb
Hyman v. Central Vt. R. Co., 66 Hun (N. Y.), 202, 1651
v. Central Vt. R. Co., 21 N. Y. Supp. 119, 1665
Hynes v. San Francisco, &c., R. Co., 65 Cal. 316, 1190
Hynson v. St. Louis, &c., R. Co., 86 S. W. 928, 1314

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

I.

Iaege v. Bossieux, 15 Gratt. (Va.) 83, 1073
Iasigi v. Chicago, &c., R. Co., 129 Mass. 46, 98
Iba v. Hannibal, &c., R. Co., 45 Mo. 469, 1193
Idaho, The, 93 U. S. 575, 1418, 1426, 1521, 1523, 1537
Ide v. Passumpsic, &c., R. Co., 32 Vt. 297, 484
Iglehart v. Bierce, 36 Ill. 133, 510
Ihmsen's Appeal, 43 Pa. St. 431, 94
Illick v. Flint, &c., R. Co., 67 Mich. 632, 1269, 1271a
Illidge v. Goodwin, 5 C. & P. 190, 476
Illinois v. Illinois Central R. Co., 33 Fed. R. 721, 652
Illinois Car, &c., Co. v. Walch, 132 Ala. 490, 1353
Illinois Cent. R. Co., Complaint of, 12 Int. Com. 8, 1688
Illinois Cent. R. Co. v. Abernathy, 106 Tenn. 722, 1825
v. Adams, 42 Ill. 474, 1548b
v. Allen, 28 Ky. L. 108, 1577
v. Anderson, 184 Ill. 294, 1851
v. Anderson, 73 Ill. App. 621, 946b
v. Arnola, 78 Miss. 787, 1258
v. Atwell, 198 Ill. 200, 1314
v. Bailey, 222 Ill. 480, 1224, 1225
v. Beebe, 174 Ill. 13, 1494, 1605, 1608
v. Bogard, 78 Miss. 11, 1510, 1510a, 1514
v. Brookhaven Machine Co., 71 Miss. 663, 1451, 1569, 1742
v. Broughton, 78 S. W. 876, 1169
v. Buchanan, 88 S. W. 312, 1385
v. Bundy, 97 Ill. App. 202, 1745
v. Cheek, 152 Ind. 663, 1627, 1628, 1628a
v. Chicago, &c., Co., 79 Ill. App. 623, 1761
v. Chicago, 173 Ill. 471, 1076
v. Chicago, 169 Ill. 329, 1082
v. Chicago, 176 U. S. 646, 974, 1096i
v. Chicago, 138 Ill. 453, 923, 970, 1029, 1049a
v. Chicago, 141 Ill. 586, 1108
v. Cobb, 68 Ill. 53, 1801
v. Cobb, 72 Ill. 148, 1450, 1556, 1720, 1724, 1743
v. Cole, 165 Ill. 334, 1819
v. Coley, 28 Ky. L. 336, 1850
v. Commonwealth (Ky.), 96 S. W. 467, 1090
v. Copeland, 24 Ill. 332, 1434, 1435, 1596, 1647, 1655, 1658, 1662a
v. Coughlin, 132 Fed. 801, 1689g
v. Cozby, 69 Ill. App. 256, 1361a
v. Cozby, 174 Ill. 109, 1374
v. Craig, 102 Tenn. 298, 1502
v. Crider, 91 Tenn. 489, 669, 1182, 1183, 1217, 1220
v. Crudup, 63 Miss. 291, 1378a
v. Cowles, 32 Ill. 117, 1448
v. Daniels, 73 Miss. 258, 1278
v. Davenport, 177 Ill. 110, 1760, 1801, 1837, 1844
v. Davidson, 76 Fed. 517, 1787, 1839
v. Davidson, 225 Ill. 618, 1193, 1198a
v. Davidson, 64 Fed. 301, 1628
v. Davis, 104 Tenn. 442, 1378a
v. Decatur, 147 U. S. 190, 781, 782, 784, 785
v. Drainage Com'rs, 129 Ill. 417, 788a
Illinois Cent. R. Co. v. Eicher, 202 Ill. 556, 1248, 1250
v. Ferrell, 108 Ill. App. 659, 1003b, 1049b, 1049c, 1049f
v. Frankenberg, 54 Ill. 88, 1723
v. Freika, 110 Ill. 498, 1248
v. Hammer, 72 Ill. 347, 1162, 1249
v. Handy, 63 Miss. 609, 1624
v. Harper, 83 Miss. 560, 1593, 1593a, 1602, 1637
v. Harris, 81 Miss. 208, 1598
v. Harris, 29 So. 760, 1378a
v. Haynes, 64 Miss. 604, 1520, 1730, 1743
v. Hays, 27 Ky. 91, 1168
v. Heissner, 45 Ill. App. 143, 1790
v. Holt, 29 Ky. L. 135, 1755
v. Hoskins, 80 Miss. 730, 998, 1049, 1049f, 1055
v. Houchins, 28 Ky. L. 499, 1813
v. Illinois, 108 U. S. 541, 1662c
v. Illinois, 163 U. S. 142, 638, 1627a, 1673, 1684c, 1684i, 1686
v. Jennings, 217 Ill. 140, 1682
v. Jewell, 46 Ill. 99, 1293
v. Johnson, 97 S. W. 745, 1257
v. Johnson, 77 Miss. 727, 1361
v. Jones, 87 Miss. 489, 1445
v. Jones, 118 Ky. 158, 650a
v. King, 179 Ill. 91, 1255
v. Kuhn, 107 Tenn. 106, 1096ct, 1457, 1584, 1585, 1634, 1635
v. Lancashire Co., 79 Miss. 114, 1419, 1505
v. Langan, 116 Ky. 318, 1304
v. Latham, 72 Miss. 32, 1255
v. Le Blanc, 74 Miss. 626, 650a
v. Lee, 71 Miss. 895, 1250
v. Leisure, 28 Ky. L. 768, 1766
v. Lence, 30 Ky. L. 988, 1801, 1845
v. Lockard, 112 Ill. App. 423, 979, 994, 1000, 1049c
v. Lostant, 167 Ill. 85, 1029
v. McClellan, 42 Ill. 355, 1244
v. McClellen, 54 Ill. 58, 1730, 1738
v. McKendree, 203 U. S. 514, 1358e
v. McLeod, 78 Miss. 334, 1174
v. Marlett, 75 Miss. 956, 1598
v. Matthews, 114 Ky. 973, 1649, 1650
v. Minor, 69 Miss. 710, 1831
v. Morris, 28 Ky. L. 956, 1813
v. Mossbarger, 28 Ky. L. 1217, 1731
v. Murphy, 97 S. W. 729, 1257
v. Neer, 26 Ill. App. 356, 1300
v. Nelson, 97 S. W. 757, 1731
v. North, 97 Ill. App. 124, 1295
v. O'Connor, 189 Ill. 559, 1154
v. O'Keefe, 168 Ill. 115, 1578, 1578b, 1581, 1776
v. Pendergrass, 69 Miss. 425, 1361a
v. People, 143 Ill. 434, 2, 637, 638, 641, 668
v. People, 119 Ill. 137, 750
v. People, 170 Ill. 224, 785, 786
v. Peterson, 68 Miss. 454, 1554
v. Porter, 94 S. W. 666, 1810
v. Price, 72 Miss. 862, 1279
v. Prickett, 210 Ill. 140, 1796
v. Radford, 64 S. W. 511, 1499
v. Sanders, 166 Ill. 270, 1272
v. Sanford, 75 Miss. 862, 29
v. Scruggs, 69 Miss. 418, 1747
v. Seitz, 214 Ill. 350, 1525
v. Smith, 85 S. W. 1173, 1282

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Illinois Cent. R. Co. v. Smith, 85 Miss. 349, 1577
v. Smyser, 38 Ill. 354, 1403
v. Souders, 178 Ill. 585, 1628
v. Southern Seating and Cabinet C. Co., 104 Tenn. 568, 1731
v. State, 163 U. S. 142, 668
v. Sutton, 42 Ill. 438, 1689i
v. Swaim, 83 Miss. 631, 1102
v. Swearingen, 47 Ill. 206, 1185
v. Treat, 75 Ill. App. 327, 1839
v. Treat, 179 Ill. 576, 1641
v. Truesdell, 68 Ill. App. 324, 1114e
v. Trustees, 212 Ill. 406, 976, 981
v. Turner, 194 Ill. 575, 994, 995, 996, 1087
v. Warren, 149 Fed. 658, 1628c
v. Watson, 39 So. 69, 1155
v. Willenborg, 117 Ill. 203, 1142
v. Willis, 97 S. W. 21, 1248
v. Wolf, 95 Ill. App. 74, 993
Illinois, Chicago, &c., R. Co. v. Swan, 176 Ill. 424, 1330
Illinois G. T. R. Co. v. Cook, 29 Ill. 237, 326
Illinois River Packet Co. v. Peoria Bridge Ass'n, 38 Ill. 467, 1057c
Illinois River R. R. Co. v. Zimmer, 20 Ill. 654, 17, 106
Illinois Southern R. Co. v. Hayner, 80 N. E. 316, 1783, 1792
Illinois State Trust Co. v. St. Louis, &c., R. Co., 208 Ill. 419, 956, 957, 1030b
Illinois Steel Co. v. O'Donnell, 156 Ill. 624, 604
v. Putnam, 68 Fed. 515, 553, 563, 565
v. San Antonio, &c., Ry. Co., 67 Fed. 561, 622
Illinois Tax Cases, 92 U. S. 575, 741
Illinois Term. R. Co. v. Thompson, 210 Ill. 226, 1269
Illinois Trust Co. Bank v. Pacific R. Co., 117 Cal. 332, 480
Illinois, &c., Canal Board, &c., v. Chicago, &c., R. Co., 14 Ill. 314, 950, 968, 1121
Illinois, &c., Co. v. Cook, 29 Ill. 237, 20
v. Jonte, 13 Ill. App. 424, 213, 303
Illinois, &c. Ins. Co. v. Marseilles, &c., Co., 6 Ill. 236, 173
Illinois, &c., R. Co. v. Able, 59 Ill. 131, 1628
v. Adams, 42 Ill. 474, 1546, 1548, 1553
v. Alexander, 20 Ill. 23, 1570
v. Allen, 39 Ill. 205, 1008
v. Arnold, 47 Ill. 173, 668, 1200
v. Ashline, 171 Ill. 313, 1792
v. Ashmead, 58 Ill. 487, 1409, 1466
v. Axley, 47 Ill. App. 307, 1629
v. Baches, 55 Ill. 379, 1378a, 1478
v. Barnett, 85 Ill. 313, 856, 860, 863, 913
v. Beaird, 24 Ill. App. 322, 1560
v. Beard, 49 Ill. App. 232, 1154, 1251
v. Beers, 27 Ill. 185, 886
v. Bentley, 64 Ill. 438, 1108
v. Bentz, 108 Tenn. 670, 1378a
v. Billington (Ky.), 30 S. W. 885, 1593
v. Bishop, 76 Miss. 758, 1332
Illinois, &c., R. Co. v. Bloomington, 76 Ill. 447, 193, 1102
v. Borders, 61 Ill. App. 55, 1792
v. Borms, 76 N. E. 149, 987
v. Bowles, 71 Miss. 994, 1296
v. Brelsford, 13 Ill. App. 251, 1546, 1550
v. Brown (Tenn.), 35 S. W. 560, 1702
v. Bryant, 70 Miss. 665, 303
v. Bull, 72 Ill. 537, 1195, 1201
v. Burns, 32 Ill. App. 196, 1700
v. Carter, 165 Ill. 570, 1527
v. Chicago, &c., R. Co., 14 Ill. 314, 32
v. Chicago, 141 Ill. 586, 632, 1098, 1104, 1106, 1109
v. Chicago, &c., R. Co., 122 Ill. 473, 652, 922, 966, 967, 974, 1117
v. Cobb, 48 Ill. 402, 626, 1538
v. Cobb, 82 Ill. 183, 1049
v. Cobb, 64 Ill. 147, 1465, 1482, 1487, 1733
v. Commissioners of, &c., 129 Ill. 417, 790
v. Commonwealth, 74 S. W. 1076, 718a
v. Cook, 29 Ill. 237, 20, 325
v. Cowles, 32 Ill. 116, 1420, 1435, 1441, 1450
v. Decatur, 126 Ill. 92, 781, 786, 788
v. Decatur, 154 Ill. 173, 781
v. Dick, 91 Ky. 434, 1156, 1161
v. Dickerson, 27 Ill. 55, 1185
v. Downey, 18 Ill. 259, 214
v. Esterbrook, 211 Ill. 624, 994, 1040a
v. Fehringer, 82 Ill. 129, 977
v. Finnigan, 21 Ill. 646, 1063, 1218
v. Frankenberg, 54 Ill. 88, 1435, 1438, 1501
v. Frazier, 47 Ill. 505, 1226
v. Freeman, 210 Ill. 270, 978, 991, 991b, 992, 996
v. Gilbert, 157 Ill. 354, 1314
v. Gillis, 68 Ill. 317, 1209
v. Godfrey, 71 Ill. 500, 1154, 1250, 1252, 1698
v. Goodwin, 94 Ill. 262, 746
v. Green, 81 Ill. 19, 1628, 1628c, 1630, 1641
v. Griffin, 80 Fed. 278, 1641
v. Griffin, 184 Ill. 9, 1179e
v. Guess, 74 Miss. 170, 1297
v. Hall, 72 Ill. 222, 1257, 1472, 1550
v. Handy, 63 Miss. 609, 1591, 1622, 1624
v. Harris, 53 Ill. App. 592, 1296
v. Haynes, 63 Miss. 485, 1551
v. Hetherington, 83 Ill. 510, 1154, 1160, 1250
v. Hilliard, 99 Ky. 684, 1327
v. Hoffman, 67 Ill. 287, 1248
v. Hornberger, 77 Ill. 457, 1409, 1466

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Illinois, &c., R. Co. v. Hoskins, 80 Miss. 730, 1049
v. Houck, 72 Ill. 285, 1644
v. Hunter, 70 Miss. 471, 1328, 1368
v. Humiston, 208 Ill. 100, 995, 1040, 1053
v. Hutchinson, 47 Ill. 408, 1172
v. Illinois, 146 U. S. 387, 948
v. Indiana, &c., R. Co., 85 Ill. 211, 947, 948
v. Irvin, 72 Ill. 452, 750
v. Jewell, 46 Ill. 99, 1296
v. Johnson, 34 Ill. 389, 1434, 1694
v. Johnson, 67 Ill. 312, 1603
v. Jones (Miss.), 16 So. 300, 1297
v. Kanouse, 39 Ill. 272, 471, 477, 1186, 1208
v. Kerr, 68 Miss. 14, 1435
v. Larson, 152 Ill. 326, 1162
v. Latham, 72 Miss. 33, 1580
v. Latimer, 128 Ill. 163, 1637
v. Leiner, 202 Ill. 24, 1589
v. McClelland, 42 Ill. 355, 1238
v. McClellan, 54 Ill. 58, 1409, 1466, 1483
v. McKay, 69 Miss. 139, 1238
v. McKee, 43 Ill. 119, 1185, 1209
v. McLean County, 17 Ill. 291, 751
v. Marshall, 210 Ill. 562, 1319, 1329
v. Mattoon, 141 Ill. 32, 786
v. Mayrand, 93 Ill. 591, 1041, 1042
v. Meacham, 91 Tenn. 428, 1255, 1580, 1581
v. Middlesworth, 43 Ill. 64, 1209
v. Miller, 32 Ill. App. 259, 1489, 1692
v. Mills, 42 Ill. 407, 1221, 1242
v. Minor, 69 Miss. 710, 1591, 1639
v. Mitchell, 214 Ill. 151, 1252
v. Morrison, 19 Ill. 136, 1498, 1503
v. Morrissey, 45 Ill. App. 127, 1796
v. Murphy, 52 Ill. App. 65, 1297
v. Neer, 31 Ill. App. 126, 1297, 1314
v. Nowicki, 148 Ill. 29, 1167, 1701
v. Nunn, 51 Ill. 78, 1238
v. O'Connell, 160 Ill. 636, 1628b
v. Patterson, 69 Ill. 650, 93 Ill. 290, 1297
v. Pendergrass, 69 Miss. 425, 1363
v. People, 84 Ill. 426, 644
v. People, 108 U. S. 541, 662, 1593
v. People, 49 Ill. App. 538, 719
v. People, 163 U. S. 142, 1665
v. People, 121 Ill. 304, 1682, 1682a
v. Person, 63 Miss. 319, 1314
v. Peterson, 68 Miss. 454, 1548
v. Phillips, 49 Ill. 234, 1587
v. Price, 72 Miss. 862, 1283
v. Quirk, 51 Ill. App. 607, 1268, 1297
v. Radford, 23 Ky. L. 886, 1734
v. Read, 37 Ill. 484, 1498, 1608, 1645
v. Ross, 31 Ill. App. 170, 1265
v. Rucker, 14 Ill. 353, 1016
v. Sanders, 166 Ill. 270, 1312
v. Schwartz, 13 Ill. App. 490, 1692
v. Scruggs, 69 Miss. 418, 1438, 1511, 1546
v. Simmons, 49 Ill. App. 443, 1555
v. Slater, 129 Ill. 91, 1114, 1261, 1262
v. Smith, 19 L. R. A. 577, 624
v. Smith, 70 Miss. 344, 627
Illinois, &c., R. Co. v. Smyser, 38 Ill. 354, 1403, 1404, 1462
v. Stassen, 56 Ill. App. 221, 1315c
v. State, 71 Miss. 253, 719
v. Stone, 20 Fed. 468, 658, 1666
v. Sutton, 42 Ill. 438, 1603
v. Sutton, 53 Ill. 397, 1637
v. Swearingen, 47 Ill. 206, 1186
v. Taylor, 24 Ill. 323, 1660
v. Tronstine, 64 Miss. 834, 1440, 1651
v. Turner, 71 Mich. 402, 1702
v. Von Horn, 18 Ill. 257, 1037, 1041
v. Wade, 140 U. S. 65, 910
v. Wall, 53 Ill. App. 588, 1256
v. Waters, 41 Ill. 73, 1487, 1552, 1555
v. Welch, 52 Ill. 183, 1269, 1377, 1801
v. Whittemore, 43 Ill. 420, 193, 202, 1280, 1602, 1637
v. Willenborg, 117 Ill. 203, 44, 660, 668, 945, 1102, 1141, 1142, 1146
v. Williams, 27 Ill. 48, 1195
v. Winslow, 56 Ill. App. 462, 1314
v. Wren, 43 Ill. 77, 1204
Illinois, &c., Trust Bank v. Pacific R. Co., 115 Cal. 285, 592
Illinois, &c., Trust Co. v. St. Louis, &c., R. Co., 217 Ill. 504, 322
Ilsley v. Stubbs, 9 Mass. 71, 1540
Ilwaco Railroad Co. v. Hedrick, 1 Wash. 446, 1259
Ilwaco Railroad, &c., Co. v. Oregon, &c., R. Co., 57 Fed. 673, 1453, 1685
Imboden v. Etowah, &c., Mfg. Co., 70 Ga. 86, 619
Imhoff v. Chicago, &c., R. Co., 20 Wis. 344, 1592, 1628
Imlay v. Union Branch R. Co., 26 Conn. 249, 630, 981, 995, 1087
Imperial Bank v. London, &c., R. Co., L. R. 5 Ch. D. 195, 1540
Imperial Coal Co. v. Pittsburgh, &c., R. Co., 2 Interst. Com. 436, 1683, 1684g
v. Pittsburgh, &c., Co., 2 Interst. Com. Com. 618, 1677, 1678
Imperial Gaslight, &c., Co. v. Broadbent, 7 H. L. Cases, 600, 1048
Imperial Land Co., In re, L. R. 11 Eq. 471, 898
Imperial, &c., Association v. Coleman, L. R. 6 H. L. 189, 274
v. Newry, &c., Ry. Co., Ir. 2 Eq. 524, 504
v. Newry, &c., R. Co., Ir. 2 Eq. 1, 549
Imperial, &c., Co. v. Hampson, L. R. 23 Ch. Div. 1, 271
Importing, &c., Co. v. Locke, 50 Ala. 332, 55, 609
Inabnett v. St. Louis, &c., R. Co., 69 Ark. 130, 1156, 1850
Indemaur v. Dames, L. R. 1 C. P. 274, 1249
Independence Ave., Condemnation of, In re, 128 Mo. 272, 1012
Independence, &c., Co. v. Burlington, &c., R. Co., 72 Iowa, 535, 1398, 1440, 1449, 1464, 1521, 1533, 1535, 1743, 1752

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–650a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Independent School Dist. v. Rew, 111 Fed. 1, 897, 900, 903
Independent, &c., Ass'n. v. Western, &c., R. Co., 6 I. C. C. 378, 1688a
Inderwick v. Snell, 2 Macn. & G. 216, 271
Indian River, &c., Co. v. East Coast Transp. Co., 28 Fla. 387, 1551
Indian Supplies, Re, 1 Inters. Com. 22, 1687
Indian, &c., R. Co. v. Robinson, 13 Cal. 519, 32
Indiana Car Co. v. Parker, 100 Ind. 181, 1278, 1316, 1321
Indiana Cent. R. Co. v. Lebanon, 18 Ind. 173, 1198
Indiana Clay Co. v. Baltimore, &c., R. Co., 67 N. E. 704, 1238
Indiana Iron Co. v. Cray, 19 Ind. App. 565, 1766
Indiana Powder Co. v. St. Louis, &c., R. Co., 116 Mo. App. 364, 1068
Indiana R. Co. v. Hoffman, 161 Ind. 593, 1096db, 1096bg, 1096bt, 1096bu
v. Maurer, 160 Ind. 25, 1841
Indiana Stone Co. v. Stram, 27 Ind. App. 694, 993
Indiana Union Trac. Co. v. Jacobs (Ind.), 78 N. E. 325, 1096bt
v. McKinney (Ind. App.), 78 N. E. 203, 1096bt, 1096cw, 1756, 1759
Indiana, &c., Co. v. Lippencott, &c., Co. 75 N. E. 649, 1689b
v. Stewart, 7 Ind. App. 563, 1175
Indiana, &c., R. Co. v. Adamson, 114 Ind. 282, 1060, 1241
v. Adamson, 90 Ind. 60, 1229
v. Allen, 113 Ind. 581, 628, 629, 718, 790, 1008, 1048
v. Allen, 100 Ind. 409, 934, 994, 998, 1000, 1022, 1025
v. Allen, 113 Ind. 308, 1004
v. Barnhart, 115 Ind. 399, 711, 1114d, 1134, 1154, 1249, 1250
v. Bird, 116 Ind. 217, 516
v. Boden, 10 Ind. 96, 1048
v. Brittingham, 98 Ind. 294, 934, 963
v. Bundy, 152 Ind. 590, 1268, 1293
v. Conness, 184 Ill. 178, 1003b, 1025
v. Cook, 102 Ind. 133, 1035
v. Craig, 41 Ill. App. 407, 1245a
v. Dailey, 110 Ind. 75, 1292, 1697, 1768
v. Ditto, 158 Ind. 669, 1582
v. Dooling, 42 Ill. App. 63, 1218
v. Doremeyer, 20 Ind. App. 605, 1461, 1539
v. Eberle, 110 Ind. 542, 1087
v. Foster, 107 Ind. 430, 623
v. Fowler, 201 Ill. 152, 1377
v. Gapen, 10 Ind. 292, 660, 669, 1193
v. Greene, 106 Ind. 279, 1308, 1701
v. Hammock, 113 Ind. 1, 1163
v. Hunter, 8 Ind. 74, 985, 987
v. Koons, 105 Ind. 507, 1141
v. Larrew, 130 Ind. 368, 1065
v. Leak, 89 Ind. 596, 1194
v. McBroom, 91 Ind. 111, 1229
v. McBroom, 114 Ind. 198, 1002, 1049
v. Masterson, 16 Ind. App. 323, 1633
v. Mundy, 21 Ind. 48, 1608, 1645
Indiana, &c., R. Co. v. Oakes, 20 Ind. 9, 702
v. Overman, 110 Ind. 538, 1226, 1227
v. Overton, 117 Ind. 253, 1204, 1215, 1689d, 1762
v. Paramore, 31 Ind. 143, 1224
v. Parker, 100 Ind. 181, 1276, 1699
v. Quick, 109 Ind. 295, 1193, 1194, 1201
v. Sawyer, 109 Ind. 342, 1194
v. Snyder, 140 Ind. 647, 1276, 1278, 1316, 1327
v. Sprague, 103 U. S. 756, 484, 507
v. State, 3 Ind. 421, 41, 965
v. Swannell, 157 Ill. 616, 531a
v. Wheeler, 115 Ind. 253, 1153
v. Zilley, 20 Ind. App. 569, 1652
Indiana, &c., Turnp. Co. v. Phillips, 2 Pen. & W. (Pa.) 184, 45
Indianapolis v. Bieler, 138 Ind. 30, 1082
v. Cauley, 164 Ind. 304, 1301a
v. Consumers' Gas Trust Co., 140 Ind. 107, 1081, 1096o, 1096p
v. Emmelman, 108 Ind. 530, 1250, 1259
v. Gaston, 58 Ind. 227, 1820
v. Kingsbury, 101 Ind. 200, 981, 1085
v. Navin, 151 Ind. 139, 1096ah
v. Scott, 72 Ind. 196, 1278
Indianapolis, D. & W. Ry. Co. v. Sands, 133 Ind. 433, 516
Indianapolis Gas Co. v. Shumack. 23 Ind. App. 87, 1356
Indianapolis Mfg., &c., Union v. Cleveland, &c., R. Co., 45 Ind. 281, 453
Indianapolis R. Co. v. Anthony, 43 Ind. 183, 1689l
Indianapolis Rolling Mill Co. v. St. Louis R. Co., 120 U. S. 256, 227
Indianapolis St. R. Co. v. Bolin (Ind. App.), 78 N. E. 210, 1096bq, 1096bs, 1096br, 1096ci, 1096cp
v. Brown, 32 Ind. App. 130, 1841
v. Darnell, 32 Ind. App. 687, 1096ch, 1096cp
v. Dawson, 31 Ind. App. 605, 1248, 1591a, 1639
v. Haverstick, 35 Ind. App. 281, 1820
v. Hockett, 159 Ind. 677, 1096cy, 1578a, 1581a, 1830, 1841
v. Johnson, 163 Ind. 518, 1174
v. Lawn, 30 Ind. App. 515, 1777
v. Marschke (Ind.), 77 N. E. 945, 1096bg, 1096ch, 1096cj, 1096cq
v. Ray (Ind.), 78 N. E. 978, 1096bt
v. Robinson, 157 Ind. 414, 1096ct, 1822, 1839
v. Robinson, 157 Ind. 232, 313
v. Schmidt, 35 Ind. App. 202, 1096bq, 1096bs, 1096ce
v. Schmidt, 163 Ind. 360, 1096cv, 1096cw, 1636
v. Seerley, 35 Ind. App. 467, 1782
v. Slifer, 35 Ind. App. 700, 1096bo
v. Taylor, 158 Ind. 274, 1313, 1689g
v. Tenner, 32 Ind. App. 311, 1096cj, 1096cs
v. Whittaker, 160 Ind. 125, 1689l

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Indianapolis St. R. Co. v. Wilson, 161 Ind. 153, 1593, 1594, 1594a, 1602
Indianapolis Trac. Co. v. Kidd (Ind.), 79 N. E. 347, 1095, 1096cb, 1096cq
v. Lawson, 143 Fed. 834, 1096cr, 1396
v. Pressell (Ind. App.), 77 N. E. 357, 1096bt, 1096cb, 1096cu, 1764
Indianapolis Union R. Co. v. Cooper, 6 Ind. App. 202, 1096dc, 1601b
v. Dohn, 153 Ind. 10, 1678
v. Houlihan, 157 Ind. 494, 668, 1335, 1356
v. Neubacker, 16 Ind. App. 21, 1157
Indianapolis, &c., Co. v. Belt R. Co., 110 Ind. 5, 1101
v. Harter, 38 Ind. 557, 1180, 1209
v. St. Louis, &c., R. Co., 26 Fed. 140, 285
v. State, 105 Ind. 37, 67, 520, 790, 1020
Indianapolis, &c., Gravel Road Co. v. Christian, 93 Ind. 360, 1012
Indianapolis, &c., Mining Co. v. Herkimer, 46 Ind. 142, 18, 102, 175
Indianapolis, &c., R. Co. v. Adkins, 23 Ind. 340, 1200
v. Allen, 31 Ind. 394, 1497, 1511, 1546, 1548
v. Anthony, 43 Ind. 183, 213, 1638
v. Barnes, 35 Ind. App. 485, 1628
v. Beaver, 41 Ind. 493, 1629
v. Birney, 71 Ill. 391, 1627a
v. Boettcher, 131 Ind. 82, 1251, 1264
v. Bonnell, 42 Ind. 539, 1197
v. Bordenchecker, 33 Ind. App. 138, 1096cq, 1261
v. Boyle, 18 Ind. App. 169, 1284
v. Brower, 12 Ind. 374, 1051
v. Buckles, 21 Ill. App. 181, 1183
v. Capitol Pav., &c., Co., 24 Ind. App. 114, 787a
v. Carr, 35 Ind. 510, 1292
v. Case, 15 Ind. 42, 1215
v. Caudle, 60 Ind. 112, 1209, 1214
v. Christian, 93 Ind. 360, 1028
v. Clay, 4 Ind. App. 282, 1689h
v. Clem, 51 Ind. 591, 1224
v. Cooper, 6 Ind. App. 202, 1265, 1453, 1638
v. Cox, 29 Ind. 360, 1501, 1661
v. Davis, 32 Ill. App. 67, 1565
v. Ervin, 118 Ill. 250, 1565
v. Flanigan, 77 Ill. 365, 1279, 1296
v. Foreman, 162 Ind. 85, 1303a, 1356, 1578a
v. Forsythe, 4 Ind. App. 326, 1500, 1508, 1516, 1693
v. Guard, 24 Ind. 222, 1190
v. Hall, 88 Ill. 368, 1185, 1200, 1589
v. Hamilton, 44 Ind. 76, 1206
v. Hartley, 67 Ill. 439, 1049, 1087
v. Herndon, 81 Ill. 143, 1571
v. Holmes, 101 Ind. 348, 117
v. Hood, 66 Ind. 580, 939, 940, 942
v. Horst, 93 U. S. 291, 895a, 1096cr, 1163, 1585, 1606, 1629, 1632, 1643
Indianapolis, &c., R. Co. v. Hyde, 122 Ind. 188, 230
v. Indianapolis, &c., Transit Co., 33 Ind. App. 337, 966, 974
v. Irish, 26 Ind. 268, 1197, 1198
v. Johnson, 102 Ind. 352, 1316, 1768
v. Jones, 29 Ind. 465, 334, 336, 338
v. Juntgen, 10 Bradw. (Ill. App.) 295, 1459
v. Jurey, 8 Ill. App. 160, 1546
v. Kane, 80 N. E. 841, 1829
v. Keely, 23 Ind. 133, 1359, 1372
v. Kennedy, 77 Ind. 507, 1582
v. Kercheval, 16 Ind. 84, 663, 1096o, 1181, 1182
v. Kingsbury, 101 Ind. 200, 981, 1085
v. Kinney, 8 Ind. 402, 1194
v. Leak, 89 Ind. 596, 1194
v. Lewis, 119 Ind. 218, 401, 938
v. Lindley, 75 Ind. 426, 1214
v. Love, 10 Ind. 554, 1311, 1697
v. McKinney, 24 Ind. 283, 670b, 1190, 1193
v. McLaren, 62 Ind. 566, 1257
v. McLin, 82 Ind. 435, 1153
v. Miller, 71 Ill. 463, 1061
v. Moore, 16 Ind. 3, 1215
v. Morganstern, 103 Ill. 149, 411
v. Morris, 67 Ill. 295, 222
v. Murray, 72 Ill. 128, 1556
v. Mustard, 34 Ind. 50, 1218
v. Neubacher, 16 Ind. App. 21, 1165, 11791
v. Newsom, 54 Ind. 121, 36, 1029, 1049d
v. O'Reily, 38 Ind. 440, 1061, 1065
v. Ott, 11 Ind. App. 564, 1296
v. Paramore, 31 Ind. 143, 1221, 1229, 1232, 1235, 1242, 1243
v. Parker, 29 Ind. 471, 670b, 1182
v. Petty, 25 Ind. 413, 1188, 1189
v. Peyton, 76 Ill. 340, 1206
v. Pitzer, 109 Ind. 179, 466, 1094, 1172, 1255, 1257, 1259, 1378a, 1637, 1773
v. Pugh, 85 Ind. 279, 1038
v. Pressell, 77 N. E. 357, 1096ct
v. Ray, 51 Ind. 269, 1208
v. Rayl, 69 Ind. 424, 401, 934, 935, 938, 973
v. Reed, 52 Ind. 357, 1025
v. Remmy, 13 Ind. 518, 1423, 1440, 1693, 1694, 1713
v. Reynolds, 116 Ind. 356, 401, 938, 949
v. Rinard, 46 Ind. 293, 1574, 1600, 1603
v. Risley, 50 Ind. 60, 649
v. Ross, 47 Ind. 25, 948a
v. Rutherford, 29 Ind. 82, 1633
v. Schmidt, 163 Ind. 360, 1759
v. Schomberg (Ind. App.), 71 N. E. 237, 1096cp
v. Shimer, 17 Ind. 295, 1188, 1193, 1200, 1209
v. Smith, 52 Ind. 428, 1113
v. Smith, 78 Ill. 112, 1161
v. Smythe, 45 Ind. 322, 1045, 1046a
v. Solomon, 23 Ind. 534, 1186
v. Stables, 62 Ill. 313, 1816
v. State, 37 Ind. 489, 639, 698, 709, 719, 1082, 1092, 1106
v. Stephens, 28 Ind. 429, 1215, 1689h
v. Stout, 53 Ind. 143, 1375

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Indianapolis, &c., R. Co. v. Strain, 81 Ill. 504, 1448, 1548, 1551, 1556a
v. Thomas, 84 Ind. 194, 1186, 1214
v. Townsend, 10 Ind. 38, 670b, 1190
v. Toy, 91 Ill. 474, 1278, 1299, 1308
v. Truitt, 24 Ind. 162, 1200
v. Vance, 96 U. S. 450, 26, 29
v. Walton, 29 Ind. App. 368, 1096cc
v. Warner, 35 Ind. 515, 1195, 1201
v. Watson, 114 Ind. 20, 1271, 1288, 1295
v. Wilson, 134 Ind. 95, 1166, 1689a
v. Wright, 13 Ind. 213, 1209
Indianapolis, &c., St. R. Co. v. Citizens' St. R. Co., 127 Ind. 369, 32, 39, 66, 632, 968, 1080, 1082, 1083, 1096q, 1096s, 1096t, 1096u, 1096z
Indianapolis, &c., Traction Co. v. Dunn (Ind. App.), 76 N. E. 269, 1096bm
v. Ranner (Ind. App.), 76 N. E. 808, 1096bm
v. Romans, 79 N. E. 1068, 1114b
Indianapolis, &c., Transit Co. v. Andis, 33 Ind. App. 625, 1096bd, 1096bw, 1303a, 1307, 1334, 1338, 1578a
v. Foreman, 162 Ind. 85, 1292
Indianola v. Gulf Western, &c., R. Co., 56 Tex. 594, 1076, 1096h
Indianola, &c., R. Co. v. Fryer, 56 Tex. 609, 325, 338
Industrial, &c., Co. v. Electrical, &c., Co., 58 Fed. 732, 1068
Industrial, &c., Trust Co. v. Tod, 93 App. Div. (N. Y.) 263, 531a
Ingalls v. Adams Express Co., 44 Minn. 128, 1256
v. Bills, 9 Metc. 1, 1583, 1584, 1587, 1696
v. Cole, 47 Me. 530, 186
v. Morgan, 10 N. Y. 178, 226
Inge v. Birmingham, &c., R. Co., 3 DeG., M. & G. 658, 935, 1048
v. Police Jury, 14 La. Ann. 117, 1000, 1017
Ingebregsten v. Nord, &c., Co. (N. J.) 31 Atl. 619, 1327
Ingerman v. Moore, 90 Cal. 410, 1318
Ingersoll v. Nassau, &c., Co., 157 N. Y. 453, 59, 1096an
v. Skinner, 1 Den. (N. Y.) 540, 714
v. Stockbridge, &c., R. Co., 8 Allen (Mass.), 438, 1223, 1235, 1237, 1573
v. Van Bokkelin, 7 Cow. (N. Y.) 670, 1705
Ingledew v. Northern R. Co., 7 Gray (Mass.), 86, 1730
Inglehart v. Bierce, 36 Ill. 133, 568, 570
Ingraham v. Chicago, &c., R. Co., 34 Iowa, 249, 1076
v. Terry, 11 Humph. (Tenn.) 572, 612
v. Pullman Co., 190 Mass. 33, 1804, 1806
Ingwersen v. Edgecombe, 42 Neb. 740, 604
v. St. Louis, &c., R. Co., 116 Mo. App. 139, 1424
Inhabitants v. Port Reading, &c., R. Co., 49 N. J. Eq. 11, 1099, 1105, 1109
Inman v. Elberton, &c., R. Co., 90 Ga. 663, 1221, 1224, 1242, 1243, 1243a
v. St. Louis, &c., R. Co., 14 Tex. Civ. App. 39, 1729
v. South Carolina, &c., R. Co., 129 U. S. 128, 197, 1509, 1516, 1627
Inman Steamship Co. v. Tinker, 94 U. S. 238, 759, 1670
Innerarity v. Bank, 139 Mass. 332, 226, 268
Innis v. Cedar Rapids, &c., R. Co., 76 Iowa, 165, 631
Inslee v. Lane, 57 N. H. 454, 1543
Instone v. Frankfort Bridge Co., 2 Bibb. (Ky.) 576, 149, 150
Insurance Co. v. Boon, 95 U. S. 117, 1455
v. Brame, 95 U. S. 754, 1359
v. Bruce, 105 U. S. 328, 898, 899
v. DeBolt, 16 How. 115, 896
v. Easton, 73 Tex. 167, 1509
v. Lake Erie, &c., R. Co., 152 Ind. 333, 1497, 1505, 1508, 1516
v. Railroad Co., 104 U. S. 146, 1433, 1443, 1444, 1445, 1453
v. St. Louis, &c., R. Co., 3 McCrary, 233, 1478
v. Southern Pac. Co., 72 Fed. 285, 1562
v. Transportation Co., 12 Wall. 194, 1455
v. Wisconsin Cent. R. Co., 134 Fed. 794, 1702
Insurance Co. of North America v. Delaware Mutual Safety Ins. Co., 91 Tenn. 755, 1504a
Inter Mountain Pub. Co. v. Jack, 5 Mont. 568, 102
Interior, &c., Const. Co. v. Gibney, 160 U. S. 217, 623
International Coal Co. v. Cape Breton County, 22 Canada S. C. R. 305, 1
International Contract Co., In re, L. R. 6 Ch. App. 525, 279
International, &c., Assn. v. Walker, 83 Mich. 386, 102, 111
v. Walker, 97 Mich. 159, 111
v. Walker, 88 Mich. 62, 111a, 115
International, &c., Co. v. Anderson Co., 59 Tex. 654, 5
v. Grand Trunk, &c., R. Co., 81 Me. 92, 1453, 1468, 1564
v. Lindstrom, 123 Fed. 475, 1373
International, &c., R. Co. v. Addison, 93 S. W. 1081, 1627a
v. Anchonda, 33 Tex. Civ. App. 24, 1816, 1841
v. Anderson, 3 Tex. Civ. App. 8, 1510a
v. Anderson Co., 59 Tex. 654, 5, 330
v. Anderson, 82 Tex. 516, 1255
v. Anthony, 24 Tex. Civ. App. 9, 1831
v. Arias (Tex.), 30 S. W. 446, 1288, 1298
v. Armstrong, 4 Tex. Civ. App. 146, 1643, 1782
v. Benitos, 59 Tex. 326, 1048
v. Bergman, 64 S. W. 999, 1457a
v. Best, 93 Tex. 344, 1595
v. Biboiet, 24 Tex. Civ. App. 4, 1831
v. Bingham, 89 S. W. 1113, 1442, 1444
v. Bost, 2 Tex. Ct. of App. (Civ. Cas.) 334, 937

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

International, &c., R. Co. v. Boykin, 89 S. W. 639, 1689l
v. Brandon, 84 S. W. 272, 1813
v. Brazil, 78 Tex. 314, 1377
v. Bremond, 53 Tex. 96, 328, 376
v. Brooks, 54 S. W. 1056, 1252
v. Campbell, 1 Tex. Civ. App. 509, 1823
v. Carr, 91 S. W. 858, 1203
v. Clark, 96 Tex. 349, 1800
v. Cocke, 68 Tex. 713, 221, 1580, 1582, 1632, 1645, 1845
v. Cocke, 64 Tex. 151, 1180, 1193, 1194, 1218
v. Cooper (Tex.), 32 S. W. 517, 1265
v. Cooper, 88 Tex. 607, 1581
v. Culpepper, 19 Tex. Civ. App. 182, 1297
v. Dawson, 62 Tex. 260, 386
v. Douglas, 7 Tex. Civ. App. 554, 1176
v. Downing, 16 Tex. Civ. App. 643, 1841
v. Dunham, 68 Tex, 231 471, 1194, 1195, 1573
v. Eason (Tex.), 35 S. W. 208 1175
v. Eckford, 71 Tex. 274, 430, 519, 1846
v. Elder, 99 S. W. 856, 656a
v. Folliard, 66 Tex. 603, 1651, 1653
v. Foltz, 3 Tex. Civ. App. 644, 1450
v. Garcia, 75 Tex. 583, 1172, 1849
v. Gilbert, 64 Tex. 536, 1578
v. Glover, 88 S. W. 515, 1153
v. Goldstein, 2 Tex. App. (Civ. Cases) 206, 1576
v. Goswick, 98 Tex. 477, 1807
v. Gourley, 21 Tex. Civ. App. 579, 1829
v. Haddox, 36 Tex. Civ. App. 385, 1810
v. Hall (Tex. Civ. App.), 33 S. W. 127, 1205
v. Hall (Tex. C. App.), 25 S. W. 52, 1248
v. Halloren, 53 Tex. 46, 1584
v. Harder, 36 Tex. Civ. App. 151, 1627a
v. Henderson, 82 S. W. 1065, 1823
v. Hester, 64 Tex. 401, 1298
v. Hogsett, 67 Tex. 685, 1242
v. Hoyle, 149 Fed. 180, 656a
v. Hubbs, 82 S. W. 1062, 1846
v. Hugen, 100 S. W. 1000, 1638
v. Hughes, 81 Tex. 184, 1207
v. Hynes, 3 Tex. Civ. App. 20, 1484, 1555
v. Ing. 29 Tex. Civ. App. 398, 1599, 1601, 1785
v. Irvine, 64 Tex. 529, 1629, 1756
v. Ives, 31 Tex. Civ. App. 272, 1793
v. Jackson, 25 Tex. Civ. App. 619, 1796
v. Jacobs, 84 S. W. 288, 1795
v. Jordan (Tex), 10 Am. & Eng. R. Cas. 301, 1112
v. Kernan, 78 Tex. 294, 1279
v. Kindred, 57 Tex. 491, 1361a
v. Klaus, 64 Tex. 293, 977
v. Kuehn, 70 Tex. 582, 519, 1375
v. Leak, 64 Tex. 654, 1823
v. Lee, (Tex.) 34 S. W. 160, 1250, 1258
v. Lewis, (Tex. Civ. App.) 23 S. W. 323, 217, 1486, 1553
v. Locke, 67 S. W. 1082, 1812, 1815
v. McDonald, 75 Tex. 41, 1802
v. McIver, 40 S. W. 438, 1229
International, &c., R. Co. v. McRae, 82 Tex. 614, 726a, 1552
v. Miller, (Tex. Civ. App.) 28 S. W. 233, 1265, 1639
v. Miller, 9 Tex. Civ. App. 104, 1591a
v. Mills, 34 Tex. Civ. App. 127, 1829
v. Mitchell, 60 S. W. 996, 1815
v. Moody, 71 Tex. 614, 431, 473
v. Moore, 3 Tex. Civ. App. 416, 1282
v. Moynahan, 33 Tex. Civ. App. 302, 1297
v. Munn, 102 S. W. 442, 1849
v. Neff, 87 Tex. 303, 1850
v. Neira, 28 S. W. 95, 1256
v. Nicholson, 61 Tex. 550, 1662a, 1728
v. Parish, 18 Tex. Civ. App. 130, 1545
v. Phillips, 63 Tex. 590, 1660
v. Ploeger, 96 S. W. 56, 1257
v. Prince, 77 Texas, 560, 210, 221, 1325, 1573, 1632
v. Railroad Com'rs. 89 S. W. 961, 1056b
v. Ragsdale, 67 Tex. 24, 216
v. Reeves, 35 Tex. Civ. App. 162, 1813
v. Rhoades, 21 Tex. Civ. App. 459, 1815
v. Ritchie, (Tex. Civ. App.) 26 S. W. 840, 1555
v. Robertson, (Tex. Civ. App.) 27 S. W. 564, 1176
v. Ryan, 82 Tex. 565, 1303a, 1518
v. Sampson, 64 S. W. 692, 1820, 1828
v. Searight, 8 Tex. Civ. App. 593, 1239
v. Searight, (Tex. Civ. App.) 28 S. W. 39, 1233
v. Shands, 93 S. W. 1105, 1420
v. Sipole, (Tex. Civ. App.) 29 S. W. 686, 1306
v. Smith, (Tex.) 44 Am. & Eng. R. Cas. 324, 218
v. Smith, 1 S. W. 565, 1837
v. Smith, 62 Tex. 254, 1257
v. Smith, 1 Tex. App. (Civil Cases) 484, 1548
v. Startz, 33 S. W. 575, 1551a, 1729
v. Startz, 82 S. W. 1071, 1748, 1755
v. Startz 94 S. W. 207, 1755
v. State, 75 Tex. 356, 611, 613
v. Still, 88 S. W. 257, 1335
v. Tabor, (Tex.) 33 S. W. 894, 1251
v. Thornton, 3 Tex. Civ. App. 197, 473, 475
v. Timmermann, 61 Tex. 660, 1233, 1240
v. Tisdale, 74 Tex. 8, 1435, 1436, 1438, 1441, 1445, 1448, 1459
v. True, 23 Tex. Civ. App. 523, 303
v. Underwood, 64 Tex. 463, 1831
v. Underwood, 67 Tex. 589, 430, 1756, 1757
v. Underwood, 62 Tex. 21, 1514
v. Villareal, 82 S. W. 1063, 1298a, 1829
v. Walker, 97 S. W. 1081, 1057d
v. Welsh, (Tex. Civ. App.) 24 S. W. 854, 1630
v. Wilkes, 68 Tex. 617, 1594, 1637
v. Williams, 82 Tex. 342, 1273

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

International, &c., R. Co. v. Williams, 20 Tex. Civ. App. 587, 1830
v. Wright, 2 Tex. Civ. App. 198, 1547
v. Young, (Tex. Civ. App.) 28 S. W. 819, 1474
v. Young, 72 S. W. 68, 1734, 1746, 1754
v. Zapp, 49 S. W. 673, 1808, 1829
Interstate Commerce Commission, Re, 53 Fed. 476, 675
Interstate Commerce Commission v. Alabama, &c., R. Co., 69 Fed. 227, 1676, 1682
v. Alabama, &c., R. Co., 168 U. S. 144, 691, 1676, 1677, 1679, 1682, 1684g
v. Alabama, &c., R. Co., 74 Fed. 715, 1672, 1676, 1677, 1679, 1683, 1684
v. Atchison, &c., R. Co., 50 Fed. 295, 1676, 1682
v. Atchison, &c., R. Co., 149 U. S. 264, 1672
v. Baird, 194 U. S. 25, 1688a
v. Baltimore, &c., R. Co., 43 Fed. 37, 1667, 1672, 1676, 1684f, 1684g, 1685, 1686, 1687
v. Baltimore, &c., R. Co., 145 U. S. 264, 1672, 1676 1678, 1684, 1684g, 1686, 1687
v. Bellaire, &c., R. Co., 77 Fed. 942, 1673
v. Brimson, 154 U. S. 447, 674, 675, 676, 1688a
v. Chicago, &c., R. Co., 186 U. S. 320, 1551, 1566
v. Chicago, &c., R. Co., 141 Fed. 1003, 1648g, 1684f, 1688a
v. Cincinnati, &c., R. 56 Fed. 925, 1667, 1672, 1676, 1682
v. Cincinnati, &c., Co., 64 Fed. 981, 675
v. Cincinnati, &c., R. Co., 4 Int. Com. R. 582, 690
v. Cincinnati, &c., R. Co., 4 Int. Com. R. 332, 1682
v. Cincinnati, &c., R. Co., 167 U. S. 479, 675
v. Clyde, &c., Co., 181 U. S. 29, 1682
v. Delaware, &c., R. Co., 64 Fed. 723, 1672
v. Detroit, &c., R. Co., 57 Fed. 1005, 1672, 1678, 1682, 1683
v. Detroit, &c., R. Co., 167 U. S. 633, 1684g, 1684i
v. East Tenn., &c., R. Co., 85 Fed. 107, 1667, 1676, 1682
v. Indianapolis, &c., Co., 99 Fed. 472, 1686
v. Lake Shore, &c., R. Co., 134 Fed. 942, 1678a
v. Lehigh Valley R. Co., 49 Fed. 177, 636
v. Lehigh, &c., R. Co., 74 Fed. 784, 1672, 1677, 1684
v. Louisville, &c., R. Co., 73 Fed. 409, 1667, 1672, 1676, 1677, 1682
v. Louisville, &c., R. Co., 190 U. S. 273, 1682, 1683, 1684g
Interstate Commerce Commission v. Louisville, &c., R. Co., 118 Fed. 613, 1667, 1673, 1682, 1684a, 1684e, 1684f, 1684g
v. Nashville, &c., R. Co., 120 Fed. 934, 1682
v. Northeastern, &c., R. Co., 74 Fed. 70, 1672
v. Southern R. Co., 122 Fed. 800, 1682
v. Southern Pac. R. Co., 123 Fed. 597, 1675
v. Texas, &c., R. Co., 52 Fed. 187, 1677, 1688a
v. Texas, &c., R. Co., 57 Fed. R. 948, 1672
v. Western, &c., R. Co., 93 Fed. 83, 1677
v. Western, &c., R. Co., 88 Fed. 186, 1677, 1682
v. Western, &c., R. Co., 82 Fed. 192, 677
Interstate Hotel Co. v. Woodward, &c., Co., 103 Mo. App. 198, 373
Interstate, &c., R. Co. v. Fox, 51 Kan. 715, 1249, 1267
Interurban R. Co. v. Cincinnati, 75 Ohio St. 196, 1096bt, 1096bu
v. Hancock, 75 Ohio St. 88, 1096bt
Intoxicating Liquor cases 25 Kan. 751, 1096t
Investment Co. v. Eldridge, 2 Pa. Dist. 394, 72
v. Ohio R. Co., 36 Fed. 48, 590, 591
Iola v. Merriman, 46 Kan. 49, 835, 890
Iola Elec. R. Co. v. Jackson, 70 Kan. 791, 1096bn, 1193, 1197, 1198
Ionic, The, 5 Blatch. (U. S.) 538, 1647
Ionnone v. New York, &c., R. Co., 21 R. I. 452, 1303a
Iowa v. Chicago, &c., R. Co., 33 Fed. R. 391, 1671
Iowa Gold Mining Co. v. Diefenthaler, 32 Colo. 391, 1767
Iowa Lumber Co. v. Foster, 49 Iowa, 25, 95
Iowa, &c., Co., In re, 2 McCrary (U. S. C. C.), 178, 646
Iowa, &c., Co. v. Bliss, 144 Fed. 446, 656a
v. Carroll County, 39 Iowa, 151, 751
v. Courtright, 21 Wall. 310, 808
Iowa, &c., R. Co. v. Perkins, 28 Iowa. 281, 108, 133
v. Schenck, 56 Ia. 628, 851a
Irby v. Wilde, 43 So. 574, 1798
Ireland v. Atchison, &c., R. Co., 79 Mo. 572, 1074
v. Cincinnati, &c., R. Co., 79 Mich. 163, 1224, 1243a, 1244
v. Cincinnati, &c., R. Co., 59 Ark. 105, 1243
v. Globe Milling Co., 21 R. I. 9, 193
v. Globe Milling, &c., Co., 19 R. I. 180, 191
v. Mobile, &c., R. Co., 20 Ky. L. 1586, 1438, 1439
Irish v. Burlington, &c., R. Co., 44 Iowa, 380, 949, 1025, 1048, 1049
v. Milwaukee, &c., R. Co., 19 Minn. 376, 1412, 1435, 1443, 1449

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Irish v. Northern Pacific R. Co., 4 Wash. 48, 1643
Irolshagen v. Railroad Co., 186 Mo. 258, 1096bv
Iron Mountain R. Co., v. Memphis, 96 Fed. 131, 654
Iron R. Co. v. Ironton, 91 Ohio St. 299, 394, 964
Iron, &c., Co., Re, 19 Ont. R. 113, 535
Iron, &c., R. Co. v. Fink, 41 Ohio St. 321, 92, 98, 154
v. Mowery, 36 Ohio St. 418, 1173, 1628, 1635, 1642
v. Stansell, 43 Ark. 275, 1061
Iroquois, &c., Co. v. DeLaney, &c., Co., 27 Sup. Ct. 509, 1673
Irrigation Co. v. Klein, 63 Kan. 484, 952c, 1096g
Irvin v. Nashville, &c., R. Co., 92 Ill. 103, 1445
Irvine v. Flint, &c., R. Co., 89 Mich. 416, 1296, 1301
Irving v. Houstoun, 4 Paton Scotch H. of L. 521, 307
Irwin v. Alley, 158 Mass. 249, 1357, 1369
v. Bailey, 8 Biss. 523, 286
v. Lowe, 89 Ind. 540, 854, 856, 893a
v. McKechnie, 58 Minn. 145, 573
v. Ontario, 6 Fed. 49, 897
v. Turnp. Co., 2 Pen. & W. (Pa.) 466, 45
Irwin Creek, &c., Co. v. Taylor, 51 N. Y. 969, 102
Irwing v. Pullman, &c., Co., 84 N. Y. S. 248, 1622
Irzo v. Perkins, 10 Fed. 779, 1559
Isaacs v. Southern Pac. R. Co., 49 Fed. 797, 1177
v. Third Ave. R. Co., 47 N. Y. 122, 1638
Isaacson v. New York, &c., R. Co., 94 N. Y. 278, 1649, 1655, 1657, 1658, 1661, 1689h
Isabel v. Hannibal. &c., R. Co., 60 Mo. 475, 1152, 1190, 1257, 1262, 1270
Isackson v. Duluth St. R. Co., 75 Minn. 27, 1096cb, 1788
Isbell v. Brinkman, 70 Ind. 118, 212
v. New York, &c., 25 Conn. 556, 265
v. New York, &c., R. Co., 27 Conn. 393, 1209, 1210, 1253
Isham v. Buckingham, 49 N. Y. 216, 98
Isherwood v. Whitmore, 11 M. & W. 347, 1530
Island City Bank v. Sachtleben, 67 Tex. 420, 526
Island Coal Co. v. Rischer, 13 Ind. App. 98, 1689l
Island, &c., Coasting Co. v. Tolson, 139 U. S. 551, 1175
Ismeale, The, 14 Fed. R. 491, 1420
Isola v. Webber, 37 N. Y. Supp. 77, 1360
Isom v. Mississippi, &c., R. Co., 36 Miss. 300, 982, 983, 987, 988, 1051
Israel v. Jewett, 29 Iowa, 475, 988
Ivanhoe v. Interprise, 29 Ore. 245, 789
Ivens v. Cincinnati, &c., R. Co., 103 Ind. 27, 1154, 1689e, 1697
Iverson v. McDonnell, 36 Wash. 73, 1805
Ives v. Smith, 3 N. Y. Supp. 645, 366
v. Smith, 55 Hun ,N. Y.), 1675
Ives v. Welden, 114 Ia. 87, 1262
v. Wisconsin Cent. R. Co., 107 N. W. 452, 1289, 1298
Izard, Ex parte, L. R. 23 Ch. Div. 75, 584
Iziar v. Railroad Co., 57 S. Car. 332, 1579

J

Jackman v. Arlington, 137 Mass. 277, 1057d
Jacks v. Helena, 41 Ark. 213, 856
v. Mutual, &c., Assn. 113 Fed. 49, 1689l
Jackson v. Alabama, &c., R. Co., 76 Miss. 703, 1637
v. Allen, 132 U. S. 27, 655
v. American Tel. Co., 139 N. Car. 347, 1265
v. Bank of Marietta, 9 Leigh (Va.), 240, 616
v. Betts, 9 Cow. 208, 1483
v. Blodget, 5 Cow. (N. Y.) 202, 510
v. Chicago, &c., R. Co., 36 Iowa, 451, 1206
v. Chicago, &c., R. Co., 31 Iowa, 176, 1221, 1224, 1244
v. Cory, 8 Johns, 385, 409
v. Crilly, 16 Colo. 103, 1374, 1630a, 1633
v. Dines, 13 Colo. 90, 795, 1049e
v. Galveston, &c., R. Co., 90 Tex. 372, 1689f
v. Gould, 74 Me. 564, 646
v. Grand Ave. R. Co., 118 Mo. 199, 200, 1096cr
v. Hampden, 16 Me. 184, 262
v. Hathaway, 15 Johns. (N. Y.) 447, 1085
v. Hill & Co., L. R. 13 Q. B. D. 618, 1344
v. Kansas City, &c., R. Co., 31 Kan. 761, 1292
v. Kiel, 13 Colo. 378, 1086
v. Lahee, 114 Ill. 287, 573
v. Ludeling, 21 Wall. 616, 275, 509, 529, 535, 549
v. McInnis, 33 Ore. 529, 606
v. McLean, 36 Fed. 213, 1675
v. Missouri, &c., R. Co., 78 S. W. 724, 1245b
v. Missouri Pac. R. Co., 104 Mo. 448, 1289, 1301, 1639
v. Mobile, &c., R. Co., 42 So. 236, 1164, 1166
v. Mutual L. Ins. Co., 3 Woods (U. S. C. C.), 413, 655
v. Natchez, &c., R. Co., 114 La. Ann. 981, 1586, 1587, 1630a
v. Newark Plank Road Co., 31 N. J. Law, 277, 321
v. New York Central R. Co., 2 Thomp. & C. (N. Y.) 653, 272
v. Nichol, 5 Bing. N. Cas. 508, 1570
v. Philadelphia, &c., R. Co., 4 Del. Ch. 180, 949
v. Pittsburgh, &c., R. Co., 140 Ind. 241, 1359, 1822
v. Rutland, &c., R. Co., 25 Vt. 150, 632, 972, 987, 1152, 1180, 1188, 1189
v. Sacramento, &c., R. Co., 23 Cal. 268, 1464
v. Second Ave. R. Co., 47 N. Y. 274, 1637

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Jackson v. St. Louis, &c., R. Co., 36 Mo. App. 170, 1214
v. St. Louis, &c., R. Co., 74 Mo. 526, 1218
v. St. Louis, &c., R. Co., 87 Mo. 422, 1361, 1369
v. Shortridge, 29 Tex. 394, 117
v. State, 88 Ga. 787, 717
v. Traer, 64 Iowa, 469, 91, 111
v. Turquand, L. R. 4 H. L. 305, 127
v. Twenty-third St. Ry. Co., 88 N. Y. 520, 96
v. Vicksburg, &c., R. R. Co., 2 Woods (U. S.), 141, 485
v. Winn's Heirs, 4 Littell (Ky.), 322, 963
v. York, &c., R. Co., 48 Me. 147, 486
Jackson Co. v. Boylston, &c., Ins. Co., 139 Mass. 508, 1509
Jackson County v. Nichols, 139 Ind. 611, 1689l
Jackson County Horse Car Co. v. Interstate, &c., Co., 24 Fed. 306, 38, 39, 1083, 1096s, 1096u
Jackson Ins. Co. v. Cross, 9 Heisk. (Tenn.) 283, 259
Jackson Lumber Co. v. Cunningham, 141 Ala. 206, 1315a
Jackson Works v. Hurlbut, 158 N. Y. 34, 1442
Jackson, &c., Ins, Co., In re, 4 Sandf. Ch. (N. Y.) 559, 49
Jackson, &c., Co. v. Burlington, &c., R. R. Co., 29 Fed. 474, 530
v. Pearson, 60 Fed. 113, 651
Jackson, &c., R. Co. v. Davison, 65 Mich. 416, 795, 796, 801
v. Interstate, &c., Co., 24 Fed. 306, 1096t
v. Lambert, 62 Ill. 519, 977
Jacksonville Railway Co. v. Jacksonville, 114 Ill. 562, 786
Jacksonville, &c., R. Co. v. Adams, 28 Fla. 631, 998, 1029
v. Adams, 29 Fla. 260, 1053
v. Adams, 33 Fla. 608, 1012
v. Caldwell, 21 Ill. 75, 1038
v. Chappell, 21 Fla. 175, 1689g
v. Cox, 91 Ill. 500, 937, 977
v. Galvin, 29 Fla. 636, 1301
v. Garrison, 30 Fla. 431, 1218
v. Harris, 33 Fla. 217, 1181, 1200
v. Hooper, 160 U. S. 514, 38, 41, 341, 352, 370, 393
v. Kidder, 21 Ill. 131, 999, 1049g
v. Lockwood, 33 Fla. 573, 1049b
v. Louisville, &c., R. R. Co., 150 Ill. 480, 526
v. Louisville, &c., Co., 47 Ill. App. 414, 436
v. Mitchell, 32 Fla. 77, 1647
v. Peninsular, &c., R. Co., 27 Fla. 1, 1224, 1237, 1238, 1239, 1243a, 1244, 1689g
v. Prior, 34 Fla. 271, 669, 1220
v. Southworth, 32 Ill. App. 307, 1788
v. Virden, 104 Ill. 339, 822, 823a
v. Walsh, 106 Ill. 253, 996, 1037
v. Wellman, 26 Fla. 344, 1213, 1215, 1218
v. Wilhite, 209 Ill. 84, 1040a
Jacob v. Flint, &c., R. Co., (Mich.) 63 N. W. 502, 1628
Jacobs, In re, 98 N. Y. 98, 664
Jacobs v. Central R. Co., 208 Pa. St. 535, 1649, 1661
v. Fuller, &c., Co., 65 L. R. A. 833, 1063
v. Fuller, &c., Co. 67 Ohio St. 70, 1342
v. Louisville, &c., R. Co., 10 Bush. (Ky.) 264, 1774, 1801
v. New York Cent. R. Co., 107 App. Div. (N. Y.) 134, 1240
v. Peterborough, &c., R. Co., 8 Cush. (Mass.) 223, 935
v. Tutt, 33 Fed. Rep. 412, 1453, 1649, 1658, 1659
v. West End St. R. Co., 178 Mass. 116, 1628a
Jacobson v. Allen, 20 Blatch. (U. S.) 525, 187
v. Allen, 12 Fed. 454, 537
v. Dalles, &c., Nav. Co., 93 Fed. 975, 1689c
v. St. Paul R. Co., 41 Minn. 206, 1248
v. Wisconsin, &c., R. Co., 71 Minn. 519, 682, 1685
Jacobus v. St. Paul, &c., R. Co., 20 Minn. 125, 1587, 1606, 1608, 1629, 1631, 1645
Jacques v. Bridgeport Horse R. Co., 41 Conn. 61, 1814
Jacquin v. Grand Ave. Cable Co., 57 Mo. App. 320, 1096ck
Jaeger v. Chicago, &c., R. Co., 75 Wis. 130, 1194
Jaffray v. Raab, 72 Iowa, 335, 584
Jager v. Coney Island, &c., R. Co., 84 Hun (N. Y.), 307, 1096ce
v. Dey, 80 Iowa, 23, 682, 960
v. Doherty, 61 Ind. 528, 820, 874
v. Metropolitan St. R. Co., 114 Mo. App. 10, 1096bs
Jamaica v. Long Island R. Co., 21 N. Y. Supp. 327, 1106
James v. Canadian Pac. R. Co., 4 Interst. Com. R. 274, 1682
v. Canadian, &c., R. Co., 5 Interst. Com. Com. R. 612, 1684
v. Central Trust Co., 98 Fed. 489, 654
v. Cowing, 82 N. Y. 339, 535
v. East Tenn., &c., R. Co., 2 Interst. Com. R. 609, 1682, 1878
v. East Tenn., &c., R. Co., 3 Interst Com. Com. R. 225, 1682
v. Great Western R. Co., L. R. 2 C. P. 634, 1161
v. Greensboro, &c., Co., 47 Ind. 379, 18
v. Griffin, 1 M. & W. 20, 1539
v. James, 58 Ark. 157, 1457a
v. Milwaukee, 16 Wall. (U. S.) 159, 826
v. Pontiac, &c., Co., 8 Mich. 91, 72, 520
v. Railroad Co., 6 Wall. (U. S.) 752, 529
v. Richmond, &c., R. Co., 92 Ala. 231, 1368, 1378a
v. Woodruff, 2 Denio (N. Y.), 574, 611
James Clark Co. v. Colton, 91 Md. 195, 604
James Gray v. John Fraser, 12 How. 184, 658
James Martin, The, 88 Fed. 649, 1558

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

James Quirk Milling Co. v. Minneapolis, &c., R. Co., 107 N. W. 742, 1236
James River, &c., Co. v. Turner, 9 Leigh (Va.) 313, 988
James River, &c., R. Co. v. Thompson, 3 Gratt. (Va.) 270, 967
James, &c., Co. v. Cincinnati, &c., R. Co., 3 Interst Com. R. 682, 1682, 1686
Jameson v. Androscoggin R. Co., 52 Me. 412, 1017
Jamestown v. Chicago, &c., R. Co., 69 Wis. 648, 636, 639, 699, 1116
Jamestown, &c., R. Co. v. Jones, 177 U. S. 125, 796
Jamieson v. Indiana, &c., Co., 128 Ind. 555, 663, 667, 889, 1703
v. Springfield, 53 Mo. 224, 1048
v. New York, &c., R. Co., 162 N. Y. 630, 1239
v. Burlington, &c., R. Co., 69 Iowa, 670, 1053
v. San Jose, &c., R. Co., 55 Cal. 593, 1628
Jammison v. Gray, 29 Iowa, 537, 1060
Janes v. Reynolds, 2 Tex. 250, 669, 1336
Janesville v. Carpenter, 77 Wis. 288, 664
Janney v. Buell, 55 Ala. 408, 702, 1362
Janny v. Great Northern R. Co., 63 Minn. 380, 1581, 1696, 1776
Jantzen v. Wabash, &c., R. Co., 83 Mo. 171, 1201
January v. Johnson County, 3 Dill. (U. S.) 392, 894
Jarbolt v. Moberly, 103 U. S. 580, 895
Jarden v. Philadelphia, &c., R. Co., 3 Whart. (Pa.) 502, 1049
Jardine v. Cornell, 50 N. J. L. 485, 1265, 1637, 1639
Jarmain v. Lake Shore, &c., R. Co., 91 N. Y. 488, 314
Jarmy v. Duluth St. R. Co., 55 Minn. 271, 1639
Jarnecke Ditch, In re, 69 Fed. 161, 646, 650
Jarrett v. Great Northern R. Co., 74 Minn. 477, 1517, 1518, 1715
v. Kennedy, 6 C. B. 319, 131
Jarvis v. Brooklyn, &c., R. Co., 133 N. Y. 623, 1590
v. Hitch, 161 Ind. 217, 1338
v. Rogers, 13 Mass. 105, 97
Jasper v. Ballou, 103 U. S. 745, 843, 854, 903, 906
Jasper Trust Co. v. Kansas City, &c., R. Co., 99 Atl. 416, 1419, 1429, 1585
Jaudon v. National City Bank, 8 Blatch. (U. S.) 430, 94
Jaycox, In re, 12 Blatch. (U. S. Cir.) 209, 369
Jayne v. Sebewaining Co., (Mich.) 65 N. W. 971, 1278, 1303
Jaynes v. Omaha St. R. Co., 53 Neb. 631, 1096d
J. C. Haas & Co. v. Citizens Nat. Bank, 144 Ala. 562, 1428, 1429a
J. C. Stevenson, The 17 Fed. 540, 1457
J. C. Woolridge & Son v. Ft. Worth, &c., R. Co., 86 S. W. 942, 1236
Jean v. Boston, &c., R. Co., 181 Mass. 197, 1314
v. Pennsylvania Co., 9 Ind. App. 56, 977, 1057, 1057f
Jebb v. Chicago, &c., R. Co., 67 Mich. 160, 1185
Jefferis v. Philadelphia, &c., R. Co., 3 Houst. 447, 1224, 1238, 1242
Jefferson v. Birmingham, &c., Co., 116 Ala. 294, 1259, 1757
v. Burford, (Ky.) 17 S. W. 855, 87, 95
v. Chicago, &c., R. Co., 117 Wis. 549, 477, 1237
v. Driver, 117 U. S. 272, 647, 651
v. Hewitt, 95 Cal. 535, 127
v. Hewitt, 103 Cal. 624, 295
v. Jennings, &c., Co., 35 Tex. Civ. App. 74, 875
Jefferson Bank v. Skelly, 1 Black, 436, 770
Jefferson County v. Lewis, 20 Fla. 980, 897, 900
Jefferson, &c., R. Co. v. Hazeur, 7 La. Ann. 182, 973
Jeffersonville v. Patterson, 26 Ind. 15, 487
Jeffersonville, &c., Co. v. Underhill, 48 Ind. 389, 1180, 1209
Jeffersonville R. Co. v. White, 6 Bush (Ky.), 251, 1526, 1705
Jeffersonville Water, &c., Co. v. Riter, 138 Ind. 170, 1068
Jeffersonville, &c., R. Co. v. Applegate, 10 Ind. 49, 670b
v. Avery, 31 Ind 277, 1199
v. Barbour, 89 Ind. 375, 939, 941, 943
v. Bowen, 40 Ind. 545, 1040
v. Cleveland, 2 Bush, 468, 1464, 1518, 1528
v. Cotton, 29 Ind. 498, 1463
v. Downey, 61 Ind. 287, 1208
v. Dunlap, 29 Ind. 426, 621, 1191, 1209, 1210
v. Esterle, 13 Bush (Ky.), 667, 978, 1048, 1085
v. Gent, 35 Ind. 39, 1694, 1715
v. Goldsmith, 47 Ind. 43, 1152, 1154, 1248, 1689e
v. Hendricks, 41 Ind. 48, 334, 1359, 1373
v. Hendricks, 26 Ind. 228, 1372, 1583, 1628, 1628c, 1642
v. Huber, 42 Ind. 173, 1201, 1214
v. Irvin, 46 Ind. 180, 1428, 1523
v. Lyon, 72 Ind. 107, 1201
v. McHenry, 22 Ind. App. 10, 1177
v. Morgan, 38 Ind. 190, 1197
v. O'Connor, 37 Ind. 95, 1193
v. Oyler, 60 Ind. 383, 1002
v. Parmalee, 51 Ind. 42, 1592, 1628
v. Peters, 1 Ind. App. 69, 1194
v. Riley, 39 Ind. 568, 1252, 1588a, 1592
v. Rodgers, 28 Ind. 1, 1823
v. Rogers, 38 Ind. 116, 302, 1601, 1603, 1637, 1638, 1802
v. Sullivan, 38 Ind. 262, 1187
v. Swayne, 26 Ind. 477, 1367, 1372
v. Sweeney, 32 Ind. 430, 1193
v. Tull, 37 Ind. 341, 1218
Jeffrey v. Detroit, &c., R. Co. (Mich.) 65 N. W. 755, 1176
Jeffries v. Lawrence, 42 Iowa, 498, 827, 832, 836, 842, 844, 863
Jeffris v. Fitchburg, &c., R. Co., 93 Wis. 250, 1533, 1539, 1543, 1572
Jellenik v. Huron, &c., R. Co., 82 Fed. 778, 79
v. Huron, &c., Co., 177 U. S. 1, 623

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Jellett v. St. Paul, &c., R. Co., 30 Minn. 265, 1530
Jemison v. Citizens' Savings Bank, 122 N. Y. 135, 350
v. Southwestern, &c., R. Co., 75 Ga. 444, 1190
Jenal v. Green Island Drainage Co., 12 Neb. 163, 952
Jencks v. Coleman, 2 Sumn. (U. S.) 221, 200, 1574, 1577
Jenison v. Southwestern R. Co., 75 Ga. 444, 1190
Jenkins v. Brooklyn, &c., R. Co., 29 App. Div. 8, 1096da, 1096db
v. Burlington, &c., R. Co., 29 Iowa, 255, 943
v. Chicago, &c., R. Co., 27 Mo. App. 578, 1193, 1198
v. Chicago, &c., R. Co., 41 Wis. 112, 1550, 1629
v. Gastonia, &c., Co., 115 N. C. 535, 350
v. Grand Trunk R. Co., 15 Ont. App. 477, 1578a
v. North Carolina, &c., Co., 65 N. Car. 563, 1704
v. Richmond, &c., R. Co., 39 So. Car. 507, 1269
v. Stage Co., 22 Cal. 537, 623
v. Stetler, 118 Ind. 275, 783
Jenks v. Fulmer, 160 Pa. St. 527, 1543
Jenkyns v. Brown, 14 Q. B. 496, 1426
v. Usborne, 7 Man. & G. 678, 1539
Jenning v. Tacoma, &c., R. Co., 7 Wash. 275, 1269, 1283
Jennings v. Bank, 79 Cal. 323, 99
v. Big Sandy, &c., R. Co., 57 S. E. 272, 1670
v. Broughton, 22 L. J. (N. S.) Ch. 585, 127, 130
v. Coal Co., 147 U. S. 147, 769
v. Delaware, &c., R. Co., 103 App. Div. (N. Y.) 164, 1056b
v. Grand Trunk Ry. Co., 5 N. Y. Supp. 140, 1417
v. Grand Trunk R. Co., 52 Hun, 227, 1424, 1434
v. Grand Trunk R. Co., 127 N. Y. 438, 1435, 1507, 1511, 1512
v. LeRoy, 63 Cal. 397, 1010
v. Pennsylvania Co., 93 Pa. St. 337, 1224
v. Philadelphia, &c., R. Co., 23 Fed. R. 569, 555
v. St. Louis, &c., R. Co., 99 Mo. 394, 1114
v. St. Louis, &c., R. Co., 112 Mo. 268, 1153, 1166, 1166a, 1171, 1179a, 1441
v. Smith, 106 Fed. 139, 1736, 1747
Jennison v. Walker, 11 Gray (Mass.), 423, 938
Jensen v. Michigan, &c., R. Co., 102 Mich. 176, 1164, 1170
v. Omaha, &c., R. Co., 115 Ia. 404, 1344
v. Union Pac. R. Co., 6 Utah, 253, 665, 1183
v. Chicago, &c., R. Co., 86 Wis. 589, 721, 1158
Jermain v. Lake Shore, &c., R. Co., 91 N. Y. 483, 84, 305, 307, 321
Jerman's Adm'r v. Benton, 79 Mo. 148, 186
Jerolman v. Chicago, &c., R. Co., 108 Ia. 177, 1832
Jerome v. McCarter, 94 U. S. 734, 512, 513, 572, 590, 596
v. Ross, 7 Johns. Ch. (N. Y.) 315, 972
v. Smith, 48 Vt. 230, 200, 1594, 1602
Jersey City, The, 46 Fed. 134, 1313
Jersey City v. Central R. Co., 40 N. J. Eq. 417, 955
v. Jersey City, &c., R. Co., 70 N. J. L. 360, 1096bf
v. Jersey City, &c., R. Co., 20 N. J. Eq. 360, 65, 1076, 1096h
v. North Jersey St. R. Co., N. J. L. 63 Atl. 906, 1096bi
Jersey City, &c., R. Co. v. Central R. Co., 48 N. J. Eq. 379, 1050, 1053, 1116, 1121, 1126
v. Jersey City, &c., R. Co., 20 N. J. Eq. 61, 74, 974, 1088, 1096c, 1096ag, 1096au
v. Passaic, 68 N. J. L. 110, 1096bj
Jersey, &c., Co. v. United &c., Co. 46 Fed. 264, 768
Jervey, In re, 66 Fed. R. 957, 1664
Jervey v. The Carolina, 66 Fed. 1013, 1664
Jessel v. Bath, L. R. 2 Exch. 267, 1419, 1420
Jessup v. Grand Trunk R. Co., 28 Grant's Ch. (U. C.) 583, 362, 941
Jesup v. City Bank, 14 Wis. 331, 285, 491, 510, 527
v. Illinois Cent. R. Co., 43 Fed. 483, 478
Jetter v. N. Y., R. Co., 2 Abb. Dec. 458, 711
v. N. Y., &c., R. Co., 2 Keyes (N. Y.), 154, 1155, 1192
Jewell v. Chicago, &c., R. Co., 54 Wis. 610, 1628
v. Grand Trunk Railway, 55 N. H. 84. 302, 1519, 1531
v. Rock River, &c., Co., 101 Ill. 57, 103
v. Weed, 18 Minn. 272, 824
Jewett v. Kansas City, &c., R. Co., 50 Mo. App. 547, 1701
v. Klein, 27 N. J. Eq. 550, 1585
v. Lawrenceburgh, &c., R. Co., 10 Ind. 539, 115, 116, 121
v. Olsen, 18 Ore. 419, 1461, 1537
v. Stockton, 3 Yerg. (Tenn.) 492, 934
v. Valley R. R. Co., 34 Ohio St. 601, 111a, 122, 127, 129, 176
v. West Somerville, &c., Bank, 173 Mass. 54, 295
v. Whitcomb, 69 Fed. 417, 652
J. F. Conrad, &c., Co. v. St. Louis, &c., R. Co., 89 Mo. App. 391, 1096ce
J. F. Spellman v. Gold Mine, &c., R. Co., 26 Mont. 76, 222
J. G. Brill Co. v. Morton, &c., R. Co., 189 Mass. 431, 480
J. H. Cownie Glove Co. v. Merchants Dispatch Co., 130 Ia. 327, 1718
J. H. Scull & Co. v. Atlantic Coast Line R. Co., 56 S. E. 876, 1560
J. J. Douglass Co. v. Minnesota, &c., Co., 62 Minn. 288, 1491

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

J. K. & W. H. Gilcrest Co. v. Des Moines, 128 Ia. 49, 718
v. Des Moines, Ia. 102 N. W. 831, 1077
Jobbitt v. Goundry, 29 Barb. (N. Y.) 509, 1559
Jobe v. Memphis, &c., R. Co., 71 Miss. 734, 1170, 1179b
Johanson v. Atlantic City R. Co., 64 Atl. 1061, 949
v. Boston, &c., R. Co., 153 Mass. 57, 1102
John, The Captain, 33 Fed. 927, 1533
v. Farmers', &c., Bank, 2 Blkf. (Ind.) 367, 246
John Hancock, &c., Co. v. Worcester, &c., R. R. Co., 149 Mass. 214, 483
John Hood Co. v. American, &c., Co., 191 Mass. 27, 1510
John Morris Co. v. Southworth, 154 Ill. 118, 1299
Johns v. Charlotte, &c., R. Co., 39 S. Car. 162, 1807
v. Johns, 23 Ga. 31, 556
v. McLester, 137 Ala. 283, 165, 620
v. Northwestern, &c., Assn., 90 Wis. 332, 1703
Johnson, In re, 49 N. J. Law, 381, 1020
Johnson v. Accident Insurance Co., 35 Fed. 374, 708
v. Alabama, &c., R. Co., 69 Miss. 191, 1497, 1516, 1548, 1552, 1748
v. Albany, &c., R. Co., 40 How. Prac. (N. Y.) 193, 78, 150, 152, 157
v. Armour, 18 Fed. 490, 1288
v. Ashland, &c., R. Co., 71 Wis. 553, 1287, 1305
v. Atlantic, &c., R. Co., 35 N. H. 569, 960, 1057
v. Baltimore, &c., R. Co., 45 N. J. Eq. 454, 986, 1051
v. Baltimore, &c., R. Co., 25 W. Va. 570, 1214
v. Board, 107 Ind. 15, 862
v. Boston, &c., R. Co., 125 Mass. 75, 1250, 1578, 1579, 1592
v. Boston, &c., R. Co., 135 Mass. 209, 1288, 1316
v. Boston, 118 Mass. 114, 1338
v. Bridgewater, &c., Co., 14 Gray (Mass.), 274, 307
v. Butler, 31 La. Ann. 770, 896
v. Campbell, 49 Ill. 316, 816, 847
v. Cayuga, &c., R. Co., 11 Barb. (N. Y.) 621, 1566
v. Central Vt. R. Co., 56 Vt. 707, 303
v. Chesapeake, &c., Co., (Va.) 21 S. E. R. 238, 1166
v. Chesapeake, &c., R. Co., 36 W. Va. 73, 1288, 1697
v. Chesapeake, &c., R. Co., 38 W. Va. 206, 1314
v. Chesapeake, &c., R. Co., 91 Va. 171, 1702
v. Chicago, &c., R. Co., 80 Wis. 641, 1057f
v. Chicago, &c., R. Co., 49 Wis. 529, 1159
v. Chicago, &c., R. Co., 75 Iowa, 157, 1194
v. Chicago, &c., R. Co., 27 Mo. App. 379, 1201
Johnson v. Chicago, &c., R. Co., 29 Minn. 425, 1209, 1219, 1220, 1315
v. Chicago, &c., R. Co., 77 Ia. 666, 1224, 1241, 1243
v. Chicago, &c., R. Co., 31 Minn. 57, 1228, 1231, 1242, 1244
v. Chicago, &c., R. Co., 116 Ia. 639, 1254
v. Chicago, &c., R. Co., 91 Iowa, 248, 1340, 1364, 1365
v. Chicago, &c., R. Co., 107 Ia. 1, 1377
v. Chicago, &c., R. Co., 58 Iowa, 348, 1589, 1638
v. Chicago, &c., R. Co., 9 Int. Com. 221, 1684i
v. Chicago, &c., R. Co., 70 Neb. 364, 1537
v. Chippendal, 2 Sim. 55, 73
v. Computing Scale Co., 139 Fed. 339, 656a
v. Concord Ry., 46 N. H. 213, 200, 1576, 1593, 1595, 1598
v. Corser, 34 Minn. 355, 13
v. County of Stark, 24 Ill. 75, 816, 847, 854, 897
v. Crow, 87 Pa. St. 184, 69
v. Detroit R. Co., 130 Mich. 453, 1638
v. East Tennessee, &c., Co., 90 Ga. 810, 218, 1441, 1482
v. Farnum, 56 Ga. 144, 548
v. Freeport, &c., R. Co., 116 Ill. 521, 974, 1028, 1041, 1053
v. Freeport, &c., R. Co., 111 Ill. 413, 994, 1028, 1029a, 1036, 1037, 1038
v. Galveston, &c., R. Co., 27 Tex. Civ. App. 616, 1628, 1689d, 1842
v. Galveston, &c., R. Co., (Tex.) 30 S. W. 95, 1297
v. Georgia, &c., R. Co., 81 Ga. 725, 111, 119, 120, 121
v. Georgia R. Co., 108 Ga. 496, 1601
v. Gibson, 78 Ind. 282, 279
v. Gorlett, 3 C. B. (N. S.) 569, 282
v. Gray's Point, &c., R. Co., 111 Mo. App. 378, 1057f
v. Gulf, &c., R. Co., 2 Tex. Civ. App. 139, 1163
v. Hanover, &c., Bank, 88 Ala. 271, 616
v. Hawkins, 2 Blackf. (Ind.) 459, 1825
v. Hobart, 45 Fed. 542, 1017
v. Hudson River R. Co., 20 N. Y. 65, 1095, 1096cb, 1313, 1701
v. Joliet, 23 Ill. 202, 40
v. Kerr, 1 Serg. & R. (Pa.) 25, 1696
v. Kessler, 76 Iowa, 411, 18, 117, 118, 871
v. Laffin, 103 U. S. 800, 95, 98
v. Laflin, 5 Dill. (U. S.) 65, 95, 291, 315
v. Lake Superior, &c., R. Co., 86 Wis. 64, 1154, 1249, 1250, 1257
v. Lehigh, &c., Co., 130 Fed. 932, 582

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Johnson v. Lightsey, 34 Ala. 169, 1720
v. Louisville, &c., R. Co., 10 Bush (Ky.), 231, 6
v. Louisville, &c., R. Co., 91 Ky. 651, 1172
v. Louisville, &c., R. Co. (Ky.) 60 Am. & Eng. R. Cas. 648, 1150
v. Louisville, &c., R. Co., (Ky.) 13 Am. & Eng. R. Cas. 623, 1150, 1153, 1154
v. Louisville, &c., R. Co., 91 S. W. 707, 1257, 1258
v. Louisville, &c., R. Co., 104 Ala. 241, 1637
v. Manhattan R. Co., 52 Hun (N. Y.), 111, 1809
v. Midland Ry. Co., 4 Exch. 366, 1466
v. Missouri Pac., &c., Co., 96 Mo. 340, 213, 1278
v. Missouri, &c., R. Co., 18 Neb. 690, 1702
v. National, &c., Assn., 125 Ala. 465, 127
v. New Orleans, 105 La. Ann. 149, 1096k
v. New York, &c., R. Co., 33 N. Y. 610, 1432, 1440, 1449, 1490
v. New York, &c., R. Co., 39 How. Pr. (N. Y.) 127, 1449
v. Northern Pacific, &c., R. Co., 48 N. W. 227, 1245
v. Northern, &c., R. Co., 1 N. Dak. 354, 1242, 1245a
v. Northern Pac. R. Co., 47 Minn. 430, 1800
v. Oakes, 70 Fed. 566, 1291
v. Parkersburg, 16 W. Va. 402, 978, 1048
v. Pensacola, &c., R. Co., 16 Fla. 623, 388, 1465, 1467, 1560, 1593
v. Pensacola, &c., R. Co., 9 Fla. 299, 112
v. Philadelphia, &c., R. Co., 163 Pa. St. 127, 1380, 1381 1382
v. Philadelphia, &c., R. Co., 63 Md. 106, 364, 1593, 1595, 1601
v. Railway Co., 94 Fed. 473, 1610
v. Rankin, 70 N. C. 550, 950, 979
v. Reading, &c., R. Co., 160 Pa. St. 647, 1095, 1096ce
v. Richmond R. Co., 86 Va. 975, 1378c, 1381
v. St. Louis, &c., R. Co., 32 Ark. 758, 1048
v. St. Paul, &c., R. Co., 31 Minn. 283, 1099, 1157, 1176
v. St. Paul, &c., R. Co., 43 Minn. 53, 1269
v. St. Paul, &c., R. Co., 43 Minn. 222, 1355
v. Seattle Elec. R. Co., 39 Wash. 211, 1361
v. Skillman, 29 Minn. 85, 949
v. Smith, 64 Me. 535, 1803
v. Southern Pac. R. Co., 147 Cal. 624, 721, 1114, 1158
v. Southern Pac. R. Co., 196 U. S. 1, 1296b, 1343, 1358d, 1358e, 1673
v. State, 88 Ala. 176, 205
Johnson v. State, 73 Ala 483, 732
v. State, 98 Ala. 57, 732
v. Stewart, 62 Ark. 164, 1096cq
v. Stoddard, 100 Mass. 306, 1414, 1415
v. Superior, &c., R. Co., 91 Wis. 233, 1096cq
v. Texas Cent. R. Co., 93 S. W. 433, 1641
v. Texas, &c., R. Co., 100 S. W. 206, 1851
v. Thornton, 54 Ia. 144, 801
v. Toledo, &c., R. Co., 133 Mich. 596, 1434, 1474
v. Towsley, 13 Wall. 72, 798, 809, 1029
v. Tucker, 2 Tenn. Ch. 398, 548
v. Union Pac. R. Co., 28 Utah, 46, 1317, 1366
v. Wabash, &c., Co., 16 Ind. 389, 108, 176
v. Wells, &c., Co., 6 Nev. 224, 1807, 1817
v. West Chester, &c., R. Co., 70 Pa. St. 357, 1628
v. Winona, &c., R. Co., 11 Minn. 296, 1583
Johnson City v. Charlestown, &c., R. Co., 100 Tenn. 138, 827
Johnson Co. v. Wharton, 152 U. S. 252, 673
Johnson County v. Miller, 174 Pa. St. 605, 70
v. Thayer, 94 U. S. 631, 95
Johnston v. Canadian, &c., R. Co., 50 Fed. 886, 1373, 1697, 1768
v. Chicago, &c., R. Co., 58 Iowa, 573, 970, 973
v. Chicago, &c., R. Co., 110 N. W. 424, 1265
v. Cleveland, &c., R. Co., 7 Ohio St. 336, 1372
v. Detroit, &c., R. Co., 139 Mich. 287, 1198
v. East Tenn., &c., R. Co. (Ky.) 30 S. W. 415, 1701
v. Fargo, 184 N. Y. 379, 1378c, 1645
v. Jones, 23 N. J. Eq. 216, 164, 260, 271
v. Laflin, 103 U. S. 800, 98
v. New Omaha, &c., R. Co., (Neb.) 110 N. W. 711, 1096cl, 1096cm
v. Old Colony R. Co., 18 R. I. 642, 963, 981, 1086
v. Oregon, &c., R. Co., 23 Ore. 94, 1689l, 1782
v. Providence, &c., Co., 10 R. I. 365, 1096al, 1111
v. Rankin, 70 N. C. 550, 1015
Johnston-Larimer, &c., Co. v. Atchison, &c., R. Co., 6 Int. Com. 568, 1684l
Johnston, Town Council of, v. Providence, &c., R. Co., 10 R. I. 365, 1096, 1105, 1111
Johnstone v. Richmond, &c., R. Co., 39 S. Car. 55, 1502, 1502a, 1504, 1510
John T. Noye Mfg. Co. v. Raymond (Super. Ct. Buff.), 8 Misc. R. R. 353, 616
Joint Stock, &c., Co. v. Brown, Law R. 8 Eq. Cases, 381, 251
Joint Water and Rail Lines, 2 Interst. Com. R., In re, 486, 1685
Joliet v. Harwood, 86 Ill. 110, 1063
v. Joliet, &c., Co., 23 Ill. 124, 771, 1012
Joliet R. Co. v. Eich, 96 Ill. App. 240, 1096cn

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Joliet St. R. Co. v. Call, 42 Ill. App. 41, 1807
v. Duggan, 45 Ill. App. 450, 1096cs
v. McCarthy, 42 Ill. App. 49, 1639
Joliet Steel Co. v. Shields, 146 Ill. 603, 1697, 1702
Joliet, &c., R. Co. v. Barrows, 24 Ill 562, 1054
v. Jones, 20 Ill. 221, 942, 1181
v. Velie, 140 Ill. 59, 1702
Jolliffe v. Brown, 14 Wash. 155, 668, 1182, 1213, 1219, 1220
Jolly v. Detroit, &c., R. Co., 93 Mich. 370, 1269, 1289
Jones v. Alabama, &c., R. Co., 72 Miss. 32, 668, 1377
v. Alabama, &c., R. Co. (Ala.) 18 So. R. 30, 1309
v. Americus, &c., R. Co., 80 Ga. 803, 1219, 1220b
v. Arkansas, &c., Co., 38 Ark. 17, 169, 275, 535
v. Asheville, 116 N. Car. 817, 1001
v. Baltimore, &c., R. Co., 21 D. C. 346, 1787
v. Bank, 10 Colo. 464, 540, 551, 560, 563
v. Blun, 145 N. Y. 333, 564
v. Bolles, 9 Wall. (U. S.) 363, 620
v. Bond, 40 Fed. 281, 1190, 1213
v. Boston, &c., Co., 4 Pick. 507, 73
v. Brim, 165 U. S. 180, 1223
v. Charleston, &c., R. Co., 61 S. Car. 556, 1250
v. Charleston, &c., R. Co., 65 S. Car. 410, 1794
v. Chesapeake, &c., R. Co., 14 W. Va. 514, 941
v. Chicago, &c., R. Co., 68 Ill. 380, 996, 1005
v. Chicago, &c., R. Co., 77 Wis. 585, 1204
v. Chicago, &c., R. Co., 43 Minn. 279, 1631, 1643
v. Cincinnati, &c., Ry., 89 Ala. 376, 1438, 1501, 1502
v. Columbia, &c., R. Co., 20 S. Car. 249, 1180
v. Concord, &c., Co., 67 N. H. 119, 87
v. Concord, &c., R. Co., 67 N. H. 234, 78, 81, 442
v. Cullen, 142 Ind. 335, 858, 871, 872, 874a, 903, 1049
v. Eastern Counties, &c., R. Co., 1 Nev. & Mac. 45, 1467, 1684
v. Erie, &c., R. Co., 144 Pa. St. 629, 401, 938, 973
v. Erie, &c., R. Co., 169 Pa. St. 333, 401, 938, 948, 948a, 973, 1091, 1099, 1109
v. Erie, &c., R. Co., 151 Pa. St. 30, 978, 1091
v. Festiniog R. Co., 3 L. R. Q. B. 733, 1056, 1090, 1228
v. Galena, &c., Co., 16 Iowa, 6, 663, 668, 1096o
v. George, 61 Tex. 345, 1488
v. Gilmore, 91 Pa. St. 310, 1457a
v. Goffstown, 39 N. H. 254, 1039
v. Grand Trunk, &c., R. Co., 45 Up. Can. (Q. B.) 193, 1265, 1636
v. Great Western R. Co., 1 Eng. Ry. & Canal Cas. 684, 944
v. Greensburg, &c., St. R. Co., 9 Pa. Sup. Ct. 65, 1096ce
v. Habersham, 107 U. S. 174, 405, 407
Jones v. Hall, 9 Ind. App. 458, 1068
v. Hartford Ins. Co., 88 N. Car. 499, 622
v. Hulburt, 13 Neb. 125, 859a
v. Housatonic R. Co., 107 Mass. 261, 1179e, 1264
v. Hurst, 67 Mo. 568, 1075
v. Jarman, 34 Ark. 323, 182
v. Kansas City, &c., R. Co., 178 Mo., 528, 1297, 1310
v. Keen, 115 Mass 170, 584
v. Klawiter, 110 Ill. App. 31, 1689e
v. Lake Shore, &c., R. Co., 49 Mich. 573, 1304
v. Louisville, &c., R. Co., 82 Ky. 610, 1271
v. Louisville, &c., R. Co., 95 Ky. 576, 1283
v. Malvern, &c., Co., 58 Ark. 125, 1274, 1278, 1308
v. Mayor, &c., of Little Rock, 25 Ark. 301, 634
v. Memphis & A. C. Packet Co., 31 So. 201, 1751
v. Michigan Cent. R. Co., 59 Mich. 437, 1226, 1228, 1242
v. Miller (Va), 23 S. E. 35, 1001
v. Milton Turnp. Co., 7 Ind. 547, 164, 262
v. Missouri, &c., Co., 144 Fed. 765, 165
v. Minneapolis, &c., R. Co., 91 Minn. 229, 1457, 1718, 1721
v. Morrison, 31 Minn. 140, 87, 320
v. New Orleans, &c., R. C., 70 Ala. 227, 947, 948, 985, 986, 998, 1055
v. New York, &c., R. C., 22 Hun (N. Y.), 284, 1273
v. New York, &c., R. C., 99 App. Div. (N. Y.) 1, 1820, 1825
v. New York, &c., R. C., 92 N. Y. 628, 1279
v. New York, &c., R. Co., 20 R. I. 210, 1788
v. Newport News, &c., Co., 65 Fed. 736, 385
v. Norwich, &c., R. Co., 50 Barb. (N. Y.) 193, 1652, 1659
v. Old Dominion, &c., Co., 82 Va. 140, 1096cp, 1287, 1317
v. Pearle, 1 Strange, 556, 1571
v. Pearl Mining Co., 20 Colo. 417, 164
v. Pennsylvania R. Co., 19 D. C. (8 Mackey) 178, 574
v. Pitcher, 3 Stew & P. (Ala.) 135, 1713
v. Priester, 1 Tex. App. (Civ. Cas.) 326, 1647, 1648
v. Queen, 7 Can. Sup. Ct. 570, 1060
v. Quincy, &c., R. Ca., 117 Mo. App. 523, 1557
v. Railroad Co., 107 Mass. 261, 718
v. Railway Co., 53 Ark. 27, 1218
v. Ross, 48 Kan. 474, 616
v. St. Louis, &c., R. Co., 79 Mo. 92, 942
v. St. Louis, &c., R. Co., 125 Mo. 666, 1320, 1578a, 1604
v. St. Louis, &c., R. Co. (Mo.) 28 S. W. 883, 1578
v. St. Louis, &c., R. Co., 115 Mo. App. 232, 1556a, 1719
v. Schall, 45 Mich. 379, 560
v. Schlapback, 81 Fed. 274, 573
v. Seaboard Air Line R. Co., 67 S. Car. 181, 1057d, 1057f

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Jones v. Seligman, 81 N. Y. 190, 514, 1143, 1147, 1191, 1192
v. Sheboygan, &c., R. Co., 42 Wis. 306, 1209
v. Sison, 6 Gray (Mass.), 288, 141
v. Stokes Co., 55 S. E. 427, 741
v. Sumner, 27 Ind. 510, 751
v. Terre Haute, &c., R. Co., 57 N. Y. 196, 76, 174, 304, 305, 306, 310, 320, 483
v. Union R. Co., 46 N. Y. S. 321, 1096cm
v. United States, 48 Wis. 385, 950
v. United States 137 U. S. 202, 1703
v. United Traction Co., 210 Pa. St. 344, 1096cl
v. Van Bochove, 103 Mich. 98, 938
v. Victoria, &c., Co., L. R. 2 Q. B. D. 314, 265
v. Voorhees, 10 Ohio St. 146, 1496, 1501, 1647
v. Walker, 5 Yerger (Tenn.) 427, 1419
v. Western North Car. R. Co., 95 N. Car. 328, 996, 1180
v. Western, &c., R. Co., 27 Vt. 399, 1393
v. Wills Valley R. Co., 30 Ga. 43, 988
v. Wiltberger, 42 Ga. 575, 186
Jones & Eastern R. Co., In re, 3 C. B. (N. S.) 718, 1687
Jonesboro City v. Cairo, &c., R. Co., 110 U. S. 192, 835, 839, 843, 894
Jonesboro, &c., R. Co., v. Guest, 99 S. W. 71, 1205
Joplin, &c., R. Co. v. Kansas City, &c., R. Co., 135 Mo. 549, 973
Jordan, Ex parte, 94 U. S. 248, 518
Jordan v. American Express Co., 86 Me. 225, 1516
v. Chicago, &c., R. C., 58 Minn. 8, 1258
v. Cincinnati, &c., R. Co., 89 Ky. 40, 1361
v. Fall River R. Co., 5 Cush. (Mass.) 69, 1406, 1647, 1649, 1653
v. Grand Rapids, &c., R. Co., 102 Ind. 464, 1255
v. Hazard, 10 Ala. 221, 1694, 1713
v. New York, &c., R. Co., 165 Mass. 346, 1641
v. Old Colony, &c., Co., 188 Mass. 124, 1096bo
v. Overseers, 4 Ohio 295, 1670
v. St. Louis, &c. R. Co., 122 Mo. App. 330, 1839
v. St. Paul, &c., R. Co., 42 Minn. 172, 1057
v. Warren Insurance Co., 1 Story (U. S. C. C.) 342, 1558, 1562
v. Wells, 3 Woods (U. S. C. C.) 527, 571, 1300
v. Woodward, 40 Me. 317, 950
Joseph v. Davis (Ala.), 10 So. 830, 626
v. Georgia R., 76 Ga. 597, 1439
Joseph B. Thomas, The, 86 Fed. 658, 1689f
Joseph Stickney, The, 31 Fed. 156, 1808
Josey v. Wilmington, &c., R. Co., 12 Rich. Law (S. Car.) 134, 411
Joslin v. Grand Rapids, &c., R. Co., 50 Mich. 516, 1316
Joslyn v. Grand Trunk R. Co., 51 Vt. 92, 1426, 1427, 1428, 1530
v. Milford, &c., St. R. Co., 184 Mass. 65, 1096bt
Jourdan v. Long Island R. Co., 115 N. Y. 380, 285, 289, 352
Joy v. St. Louis, 138 U. S. 1, 358, 360, 361, 381, 633, 945, 974, 1081
v. Jackson, &c., Plank Road Co., 11 Mich. 155, 252
v. Manion, 28 Mo. App. 55, 14
v. Winnisimmet Co., 114 Mass. 63, 1696
Joyce v. Exeter, &c., St. R. Co., 190 Mass. 304, 1096cn
Joyner v. South Carolina, &c., R. Co., 26 S. Car. 49, 1481, 1701
Judah v. American, &c., Co., 4 Ind. 333, 107, 137, 190, 262
Judd v. Bankers', &c., Co., 31 Fed. 182, 553
v. New York, &c., S. Co., 130 Fed. 991, 1711
Judd & Root v. New York S. S. Co., 128 Fed. 7, 1509
Judkins v. Maine, &c., R. Co., 80 Me. 417, 1297
Judson v. Bessemer, 87 Ala. 240, 879
v. Great Northern R. Co. (Minn.), 65 N. W. 447, 1166
v. Great Northern R. Co., 63 Minn. 248, 1175, 1179b
v. New York, &c., R. Co., 29 Conn. 434, 1176
v. Rossie Galena R. Co., 9 Paige 598, 73
v. Western R. Co., 4 Allen 520, 1403, 1409, 1445, 1451, 1462, 1464
v. Western R. Co., 6 Allen (Mass.) 486, 1501, 1504
Julian v. Central Trust Co., 193 U. S. 93, 72, 525a, 531, 532
Junction City, &c., R. Co. v. Silver, 27 Kan. 741, 1046a
Junction, &c., Co. v. City, 88 Pa. St. 424, 786
Junction, &c., R. Co. v. Cleneay, 13 Ind. 161, 484
v. Reeve, 15 Ind. 236, 113, 257, 260, 267
v. Ruggles, 7 Ohio St. 1, 931, 938
v. Silver, 27 Kan. 741, 1025
June v. Boston, &c., R. Co., 153 Mass. 79, 1154, 1250, 1579
Jungblum v. Minneapolis, &c., R. Co., 70 Minn. 153, 1057d
Jungnitsch v. Michigan, &c., R. Co. (Mich.), 63 N. W. 296, 1296
Junior v. Missouri, &c., R. Co., 127 Mo. 79, 1283
Junod v. Chicago, &c., R. Co., 47 Fed. 290, 1676, 1682, 1688, 1688a
Jussen v. Board, &c., 95 Ind. 567, 850, 858, 886
Justice v. Lang, 52 N. Y. 323, 1701
v. Nesquehoning Valley R. Co., 87 Pa. St. 28, 944, 949, 998, 1049, 1055
v. Pennsylvania Co., 130 Ind. 321, 300, 1319
v. Philadelphia, 169 Pa. St. 503, 1003b, 1025
Justices of Campbell County v. Knoxville, &c., R. Co., 6 Coldw. (Tenn.) 598, 852, 859a, 876

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Justices of Clarke Co. Ct. v. Paris, &c., Turnpike Co., 11 B. Mon. (Ky.) 143, 863, 874
J. W. Brown, The, 1 Biss. 76, 1420

K.

Kaare v. Troy, &c., Co., 139 N. Y. 369, 1296
Kadish v. Garden City, &c., Assn., 151 Ill. 531, 368
Kaeiser v. Illinois, &c., R. Co., 18 Fed. 151, 1666
Kaes v. Missouri Pacific R. Co., 6 Mo. App. 397, 1190
Kahl v. Love, 37 N. J. Law 5, 466, 1267
v. Memphis, &c., R. Co., 95 Ala. 337, 1359
Kahn v. Atlantic, &c., R. Co., 115 N. Car. 638, 1652
v. St. Joseph Bank, 70 Mo. 262, 98
Kahnweiler v. Insurance Co., 67 Fed. 483, 1714
Kain v. Kansas City, &c., R. Co., 29 Mo. App. 53, 1392, 1713, 1727
v. Smith, 80 N. Y. 458, 573, 576, 580, 1321
Kaiser v. Lawrence Savings Bank, 56 Iowa 104, 17, 190
v. St. Paul, &c., R. Co., 22 Minn. 149, 966
v. Seaton, 62 Iowa 463, 934
Kakeldy v. Columbia, &c., Co., 37 Wash. 675, 1088
Kalamazoo, &c., Co. v. Snavely, 34 Fed. 823, 646
v. Sootsma, 84 Mich. 194, 1551, 1678
Kalbfleisch v. Long Island, &c., R. Co., 102 N. Y. 520, 1238
Kalen v. Terre Haute, &c., R. Co., 18 Ind. App. 202, 1816, 1817
Kalina v. Union Pac. R. Co., 69 Kan. 172, 1512, 1516, 1714
Kallman v. United States Express Co., 3 Kan. 205, 1516
Kaminitsky v. Northeastern R. Co., 25 S. Car. 53, 721, 1114
Kampman v. Farver, 87 Tex. 491, 89
Kanaga v. St. Louis, &c., R. Co., 76 Mo. 207, 1049
Kanawha, &c., R. Co. v. Glen Jean, &c., R. Co., 45 W. Va. 119, 921, 927, 1125
Kanawha, &c., Co. v. Kanawha, &c., Co., 7 Blatch. (U. S.) 391, 52
Kane v. Baltimore, 15 Md. 240, 953
v. Erie R. Co., 133 Fed. 681, 21, 1335
v. Kansas City, etc., R. Co., 112 Mo. 34, 1025
v. N. Y. El. R. R. Co., 125 N. Y. 164, 7, 1056a, 1085, 1091
v. New York, &c., Co., 132 N. Y. 160, 1163
v. Northern Central R. Co., 128 U. S. 91, 1296
v. People, 3 Wend. 363, 709
v. West End St. R. Co., 169 Mass. 64, 1096cc
Kankakee County v. Aetna Life Ins. Co., 106 U. S. 668, 881
Kankakee Elec. Co. v. Lade, 56 Ill. App. 454, 1096cn
Kankakee, &c., Mill Co. v. Kampe, 38 Mo. App. 229, 603
Kankakee, &c., R. Co. v. Chester, 62 Ill. 235, 1041, 1053
Kankakee, &c., R. Co. v. Fitzgerald, 17 Ill. App. 525, 942
v. Horan, 131 Ill. 288, 1057d
v. Straut, 102 Ill. 666, 1040
Kanne v. Minneapolis, &c. R. Co., 30 Minn. 423, 1049, 1050, 1051, 1055
Kansas v. Colorado, 206 U. S. 64, 1663
Kansas, City of v. Baird, 98 Mo. 215, 983, 1013
v. Butterfield, 89 Mo. 646, 1039
v. Kansas Pac. R. Co., 18 Kan. 331, 1033, 1053
v. Kansas City, &c., R. Co., 84 Mo. 410, 1041
v. Kansas City, &c., R. Co., 102 Mo. 633, 1102, 1105, 1107, 1127
v. Mastin, 169 Mo. 80, 1023
v. Smart, 128 Mo. 272, 1012
v. Vineyard, 128 Mo. 75, 1012
Kansas City Hotel Co. v. Hunt, 57 Mo. 126, 102, 155
v. Sauer, 65 Mo. 279, 606, 612
Kansas City R. Co. v. Bayles, 19 Colo. 348, 1467
v. Becker, 67 Ark. 1, 1340
v. Butts, 7 Kan. 308, 1231
v. Cuykendall, 42 Kan. 234, 1089
v. Egan, 64 Kan. 421, 1807
v. Langley, 70 Kan. 453, 329
Kansas City So. R. Co. v. McGinty, 76 Ark. 356, 1833
Kansas City, &c., R. Co. v. Alderman, 47 Mo. 349, 851
v. Attorney-General, 118 U. S. 682, 798, 798
v. Ball, 19 Kan. 535, 1216
v. Balson, 33 Kan. 534, 1208, 1213
v. Barnett, 69 Ark. 150, 1749, 1755
v. Becker, 67 Ark. 1, 1316
v. Berry, 53 Kan. 112, 1581, 1629
v. Billingslea, 116 Fed. 335, 1315d
v. Blaker, 68 Kan. 244, 1236
v. Board of Com'rs (Kans.), 84 Pac. 755, 1096bd
v. Burge, 40 Kan. 734, 1215, 1220
v. Burton, 97 Ala. 240, 1269, 1352, 1353, 1689a, 1796
v. Campbell, 62 Mo. 585, 684, 1013, 1017, 1027, 1039, 1041, 1046, 1046a
v. Cantrell, 70 Miss. 329, 1212
v. Cook, 66 Fed. 115, 1257, 1258
v. Crocker, 95 Ala. 412, 1354, 1356, 1689d
v. Cush, 96 S. W. 1062, 1213
v. Dalton, 65 Kan. 661, 1816
v. Daugherty, 138 U. S. 298, 622
v. Davis, 197 Mo. 669, 931, 955, 1096bm
v. Dawley, 50 Mo. App. 480, 1040a
v. Devol, 72 Fed. 717, 256
v. Doggett, 67 Miss. 250, 1204, 1213
v. Dorough, 72 Tex. 108, 1840
v. Dye, 70 Fed. 24, 1282
v. Embrey, 90 S. W. 15, 1447
v. Ewing, 23 Kan. 273, 1186
v. Fisher, 53 Kan. 512, 1019, 1036
v. Flipps, 138 Ala. 487, 1296b
v. Foster, 134 Ala. 244, 1594, 1596
v. Frohwerk, 68 Kan. 292, 526
v. Gallagher, 68 Kan. 424, 1096bq, 1096br, 1701
v. Gough, 35 Kan. 1, 627
v. Graham, 67 Kan. 791, 1068
v. Hammond, 58 Ark. 324, 1280
v. Heard, 87 Miss. 378, 1516, 1719

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kansas City, &c., R. Co. v. Herman, 62 Pac. 543, 1155
v. Higdon, 94 Ala. 286, 1647, 1649
v. Holden, 66 Ark. 602, 1637
v. Holland, 68 Miss. 351, 1505, 1511, 1551
v. Interstate Lumber Co., 37 Fed. 3, 646
v. Justices of Nodaway County, 47 Mo. 349, 833
v. Kansas City, &c., Co., 118 Mo. 599, 405, 1012, 1013a, 1121, 1127
v. Kansas City, &c., Co., 129 Mo. 621, 632, 931
v. Kelly, 36 Kan. 655, 1255, 1637
v. Kennedy, 49 Kan. 19, 1036, 1045, 1046a
v. Kier, 41 Kan. 661, 1267, 1324, 1801
v. Kirksey, 48 Ark. 366, 1211, 1256
v. Kirksey, 60 Fed. 999, 1310, 1702
v. Kregelo, 32 Kan. 608, 991, 996, 999, 1137
v. Lackey, 72 Miss. 881, 1005, 1057
v. Lewis, 97 S. W. 56, 1214
v. Lilly, 8 So. 644, 1411, 1691, 1752
v. Little, 66 Kan. 378, 1593, 1602, 1823
v. Littler, 70 Kan. 556, 992
v. Louisiana Western R. Co., 116 La. 178, 975, 996a
v. Louisiana, &c., R. Co., 40 So. 627, 1127
v. McDonald, 51 Fed. 178, 1133
v. McElroy, 161 Mo. 584, 1036a, 1040a
v. McGahey, 63 Ark. 344, 1464, 1647, 1649, 1652, 1659
v. Matthews, 142 Ala. 298, 1757, 1833
v. Merrill, 25 Kan. 421, 990, 992, 994
v. Moles, 121 Fed. 351, 1689i
v. Morrison, 34 Kan. 502, 1463, 1533, 1647, 1648
v. Morse, 105 Mo. 510, 996
v. Murray, 55 Kan. 336, 1296
v. Myers (Miss.), 7 So. 321, 1204
v. Nelson, 193 Mo. 297, 1025, 1096bm
v. Nichols, 38 So. 371, 1635
v. Norcross, 137 Mo. 415, 1038
v. Owen, 25 Kan. 419, 1238
v. Pace, 69 Ark. 256, 1512, 1714
v. Patten (Kan. App.), 45 Pac. 108, 1651, 1652
v. Perkins, 88 Tex. 66, 1059
v. Perry, 65 Kan. 792, 1239
v. Phillips, 98 Ala. 159, 1578
v. Pirtle, 67 Ark. 617, 1239
v. Prunty, 133 Fed. 13, 649
v. Railroad Comm'rs, 84 Pac. 755, 682a, 683, 1135
v. Rich Tp., 45 Kan. 275, 828, 858, 897
v. Riley, 33 Kan. 374, 977
v. Riley, 68 Miss. 765, 1594
v. Rodebaugh, 38 Kan. 45, 1501, 1593, 1661
v. Rogers, 48 Neb. 653, 1239
v. Ryan, 52 Kan. 637, 1278
v. St. Joseph, &c., R. Co., 97 Mo. 457, 629, 1116, 1127
v. Schwake, 70 Kan. 141, 977a, 1057b
v. Scott, 1 Tex. Civ. App. 1, 1837
Kansas City, &c., R. Co. v. Simpson, 30 Kan. 645, 1454, 1497, 1510, 1545, 1743
v. Smith, 72 Miss. 677, 1057
v. Smith, 51 La. Ann. 1079, 1041
v. Smith, 90 Ala. 25, 1783
v. Spencer, 72 Miss. 491, 712, 1199
v. Spitlog, 45 Kan. 68, 1036
v. State, 65 Ark. 363, 1649
v. Stoner, 51 Fed. 209, 1132, 1635, 1842
v. Story, 96 Mo. 611, 1029, 1041
v. Thornhill, 141 Ala. 215, 1767
v. Vicksburg, &c., R. Co., 49 La. Ann. 29, 1030a
v. Walker, 71 Ark. 643, 1214
v. Washington, 74 Ark. 9, 1658
v. Waterworks Imp. Dist., 68 Ark. 376, 790
v. Watson, 91 Ala. 483, 1205
v. Way, 60 Kan. 856, 338
v. Wayt, 97 S. W. 656, 1213
v. Weaver, 86 Mo. 473, 1003, 1003b
v. Webb, 97 Ala. 157, 1268
v. Weeks, 135 Ala. 614, 1165
v. Williford, 115 Tenn. 108, 1255
v. Wiygul, 82 Miss. 223, 966, 1057c
Kansas City, &c., Transfer Co. v. Neiswander, 18 Mo. App. 103, 1464
Kansas Pac. R. Co. v. Atchison, &c., R. Co., 112 U. S. 414, 799
v. Kessler, 18 Kan. 523, 1801
v. Little, 19 Kan. 267, 1802
v. McCann, 2 Wyo. 3, 1567a
v. Miller, 2 Colo. 442, 1801
Kansas, &c., R. Co. v. Allen, 22 Kan. 285, 972, 1143
v. Allen, 24 Kan. 33, 1037, 1038
v. Atchison R. Co., 112 U. S. 414, 652, 798, 799
v. Ayres, 63 Ark. 331, 1500, 1512, 1714
v. Bayles, 19 Colo. 348, 388, 567, 1434, 1565
v. Board, 45 Kan. 716, 1103, 1127
v. Brady, 17 Kan. 380, 1238
v. Brownlie, 60 Ark. 582, 1292
v. Burge, 40 Kan. 734, 1193
v. Butts, 7 Kan. 308, 1221
v. Cutter, 19 Kan. 83, 1367, 1378, 1378a
v. Cutter, 16 Kan. 568, 1372
v. Cuykendall, 42 Kan. 234, 1087
v. Dorough, 72 Tex. 108, 581, 1628, 1643
v. Dunmeyer, 113 U. S. 629, 798a, 803, 804, 927
v. Dye, 70 Fed. 24, 1298
v. Fitzsimmons, 22 Kan. 686, 1259, 1261
v. Fitzsimmons, 18 Kan. 34, 1063, 1337
v. Hoover, 43 Pac. 854, 1239
v. Hopkins, 18 Kan. 494, 362, 386, 416, 941, 945, 1048
v. Kessler, 18 Kan. 523, 200
v. Lundin, 3 Colo. 94, 1056, 1586
v. McBratney, 12 Kan. 1, 1049
v. Mihlman, 17 Kan. 224, 1048
v. Miller, 2 Colo. 442, 1177, 1378a, 1583, 1584, 1586
v. Montelle, 10 Kan. 119, 1655
v. Morrison, 34 Kan. 502, 1648
v. Mower, 16 Kan. 573, 663, 668, 669, 670b, 715, 1183, 1220
v. Northwestern, &c., Co., 161 Mo. 288, 954, 1030b

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kansas, &c., R. Co. v. Peavey, 29 Kan. 169, 1358, 1376, 1378c, 1381
v. Peavey, 31 Kan. 472, 1292
v. Pointer, 9 Kan. 620, 1093, 1096at, 1153, 1156, 1159, 1163, 1250
v. Reynolds, 8 Kan. 623, 1719
v. Reynolds, 17 Kan. 251, 1454, 1504
v. Richardson, 25 Kan. 391, 1157
v. St. Joseph, &c., R. Co., 97 Mo. 457, 978
v. Salmon, 14 Kan. 134, 1280
v. Sanders, 98 Ala. 293, 1589
v. Searle, 11 Colo. 1, 577, 581
v. Smith, 40 Kan. 192, 338, 606
v. Streeter, 8 Kan. 133, 1025, 1048
v. Ward, 4 Colo. 30, 1152, 1162, 1163, 1263
v. Waters, 70 Fed. 28, 1298
v. Whipple, 39 Kan. 531, 1251, 1257
v. Wood, 24 Kan. 619, 467, 581, 1208
v. Yanz, 16 Kan. 583, 715, 1183
Kantrowitz v. Metropolitan St. R. Co., 63 App. Div. (N. Y.) 65, 1830
Karber v. Nellis, 22 Wis. 215, 1041
Karczewski v. Wilmington City R. Co., 4 Pen. (Del.) 24, 1812, 1815
Karle v. Kansas City, &c., R. Co., 55 Mo. 476, 1155, 1374
Karnes v. Rochester, &c., R. Co., 4 Abb. Pr. N. S. (N. Y.) 107, 250, 312, 314
Karrer v. Detroit, &c., R. Co., 76 Mich. 400, 1282, 1296
Karsen v. Milwaukee, &c., R. Co., 29 Minn. 12, 1238, 1242, 1243
Karst v. St. Paul, &c., R. Co., 22 Minn. 118, 1082a, 1096al
Karuth's Case, L. R. 20 Eq. 506, 241
Kascock v. Central R. Co., 101 N. Y. S. 211, 1280
Kasson v. Brocker, 47 Wis. 79, 1053
v. Noltner, 43 Wis. 646, 1416
Kastner v. Long Island R. Co., 76 App. Div. (N. Y.) 328, 1802
Kastt v. Wabash R. Co., 114 Mich. 43, 1327
Katama Land Co. v. Jernegan, 126 Mass. 155, 149
Kates v. Pullman, &c., Co. (Ga.) 23 S. E. 186, 1622, 1623
Kathleen Mary, The Steamer, 8 Benedict. 165, 1528
Katz v. Cleveland, &c., R. Co., 46 Misc. (N. Y.) 259, 1662a
v. Herrick (Idaho), 86 Pac. 873, 24
Katzenberger v. Aberdeen, 121 U. S. 172, 839, 843, 875, 895
v. Aberdeen, 16 Fed. 745, 827
v. Lawo, 90 Tenn. 235, 6, 1131, 1158, 1589
Katzenstein v. Raleigh, &c., R. Co., 84 N. C. 688, 216, 712
Katzinski v. Grand Trunk R. Co., 141 Mich. 75, 1194
Kauffman v. Cleveland, &c., R. Co., 144 Ind. 456, 1163, 1169, 1701
v. Maier, 94 Cal. 269, 1303
v. Pittsburgh, &c., R. Co., 210 Pa. St. 440, 920
Kauffman, &c., Co. v. Missouri, &c., R. Co., 3 Interst. Com. 400, 1678
Kaufman v. Tacoma, &c., R. Co., 11 Wash. 632, 1087
Kaufman, &c., Co. v. Christophel, 59 Mo. App. 80, 1075
Kaumeier v. City Elec. R. Co., 116 Mich. 306, 1259
Kavanaugh v. Atchison, &c., R. Co., 163 Mo. 64, 1200
v. Mobile, &c., R. Co., 78 Ga. 271, 630, 1096
v. Omaha L. Assn., 84 Fed. 295, 322
Kay v. Metropolitan St. R. Co., 163 N. Y. 447, 1096cw, 1644, 1689g
v. Pennsylvania, &c., R. Co., 65 Pa. St. 269, 1096at, 1152, 1154, 1156, 1162, 1249, 1262
Kean v. Baltimore, &c., R. Co., 61 Md. 154, 1172, 1175
v. Johnson, 9 N. J. Eq. 401, 163, 325, 376, 634
v. West Chicago St. R. Co., 75 Ill. App. 38, 1096cz
Kearney v. Andrews, 10 N. J. Eq. 70, 191
v. Ballantine, 54 N. J. Law, 194, 1019
v. Boston, &c., R. Co., 9 Cush. 108, 1361, 1363
v. Buttles, 1 Ohio St. 362, 349
v. Central R. Co., 167 Pa. St. 362, 467, 471
v. London, &c., R. Co., L. R. 5 Q. B. 411, 1109, 1175, 1263
v. Metropolitan, &c., R. Co., 13 N. Y. Supp. 608, 1086
v. Metropolitan El. R. Co., 129 N. Y. 76, 1003b
Kearney Bank v. Froman, 129 Mo. 427, 226
Kearney, &c., Co. v. Union Pac. R. Co., 97 Ia. 719, 1539a
Kearns v. Southern R. Co., 139 N. Car. 470, 1689f, 1702
Keasly, &c., Co., In re, 160 U. S. 221, 24
Keating v. Cincinnati, 38 Ohio St. 141, 977
v. Michigan, &c., Co., 97 Mich. 154, 215, 1255, 1305
v. New York, &c., R. Co., 49 N. Y. 673, 1628, 1628b
Keatley v. Illinois Cent. R. Co., 94 Ia. 685, 1346, 1788
Keator v. Scranton Trac. Co., 191 Pa. St. 102, 1096cs
Keats v. National, &c., R. Co., 65 Fed. 940, 1283
Keefe v. Boston, &c., R. Co., 142 Mass. 251, 1256, 1641
v. Chicago, &c., R. Co., 92 Ia. 182, 1175, 1251, 1298, 1298a, 1315e
v. Milwaukee, &c., R. Co., 21 Minn. 297, 1259
Keegan v. Western, &c., R. Co., 8 N. Y. 175, 1299
Keeler v. Brooklyn El. R. Co., 9 Abb. N. Cas. (N. Y.) 166, 586
v. Milledge, 24 N. J. L. 142, 1698
Keeley v. Erie R. Co., 47 How. Pr. (N. Y.) 256, 1636, 1639
Keeman v. Commissioners Court, 26 Ala. 368, 1018
Keen v. Breckenridge, 96 Ind. 69, 537, 571, 572
v. Detroit Elec. R. Co., 123 Mich. 247, 1096da

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

Keenan v. Missouri Ins. Co., 12 Iowa, 126, 226
v. New York, &c., R. Co., 145 N. Y. 190, 1314, 1316, 1329
v. New York, &c., R. Co., 21 N. Y. S. 445, 1298a
v. Union Traction Co., 202 Pa. St. 107, 1096bq
Keene v. Van Reuth, 48 Md. 184, 405, 619
Keener v. Eagle Lake, &c., Co., 110 Cal. 627, 622
v. Union Pacific R. Co., 31 Fed. 126, 5
Keeney v. Globe Mill Co., 39 Conn. 145, 308
v. Grand Trunk, &c., R. Co., 47 N. Y. 525, 1468, 1469, 1515
v. Home Insurance Co., 71 N. Y. 396, 563
v. Oregon R. & N. Co., 19 Ore. 291, 1209
Keep v. Indianapolis, &c., R. Co., 9 Fed. 625, 1396
Keese v. Chicago, &c., R. Co., 30 Iowa, 78, 1238
Keesville, &c., R. Co., In re, 101 N. Y. S. 237, 1076
Kehler v. Schwenk, 144 Pa. St. 348, 1261, 1274
Kehoe v. Allen, 92 Mich. 464, 1301
Kehr v. Hall, 117 Ind. 405, 568, 570
Keiffer, Ex parte, 40 Fed. 399, 690
Keiffer v. Ehler, 18 Pa. St. 388, 882
Keim v. Union Ry. Co., 90 Mo. 314, 1155
Keiser v. Lovett, 85 Ind. 240, 631
Keitel v. St. Louis Cable, &c., Co., 28 Mo. App. 657, 1096al, 1096cc
Keith v. Amende, 1 Bush, 455, 1420
v. Bingham, 100 Mo. 300, 782
v. Clark, 97 U. S. 454, 806
v. Intercolonial, &c., R. Co., 18 Nova Sc. 226, 1154
v. Johnson (Ky.), 59 S. W. 487, 426
v. Kentucky Cent. R. Co., 1 Interst. Com. 601, 1551
v. Levi, 2 Fed. 743, 646
v. New Haven, &c., R. Co., 140 Mass. 175, 1279, 1284
v. Pinkham, 43 Me. 501, 1585, 1629
v. Pullman's Palace Car Co., 17 Chicago Legal News, 196, 1622
Keith Co. v. Citizens', &c. Co., 116 Fed. 13, 903
Keithsburg v. Frick, 34 Ill. 405, 816, 822
Keithsburg, &c., R. Co. v. Henry, 79 Ill. 290, 418, 988, 992, 995, 996
Keitler v. State, 4 Greene (Iowa), 291, 684
Kellard v. Rooke, L. R. 19 Q. B. D. 585, 1352, 1353
v. Rooke, L. R. 21 Q. B. D. 365, 1338
Kelleher v. Milwaukee, &c., R. Co., 80 Wis. 584, 1269
Keller v. Atchison, &c., R. Co., 92 Fed. 545, 526
v. Bading, 169 Ill. 152, 1003b
v. Baltimore, &c., R. Co., 196 Pa. St. 57, 1438
v. Corpus Christi, 50 Tex. 614, 684
v. Gaskill, 20 Ind. App. 502, 1283
v. Gilman, 93 Wis. 9, 1689i
v. Johnson, 11 Ind. 337, 127
v. Sioux City R. Co., 27 Minn. 178, 1628, 1689i
Kellerman v. Kansas City, &c., R. Co. (Mo.), 34 S. W. 41, 1417, 1420, 1500, 1504, 1510
Kellett v. Chicago, &c., R. Co., 22 Mo. App. 356, 1595
Kelley v. Alabama, &c., R. Co., 58 Ala. 489, 543
v. Boston, &c., R. Co., 67 Me. 163, 1593
v. Bowker, 11 Gray, 428, 1420
v. Cable, 7 Mont. 70, 1317
v. Central, &c., R. Co., 48 Fed. 663, 1378
v. Chicago, &c., R. Co., 53 Wis. 74, 1289
v. Chicago, &c., R. Co., 35 Minn. 490, 1296a
v. Great Northern R. Co., 152 Fed. 211, 1662c, 1688b
v. Hannibal, &c., R. Co., 75 Mo. 138, 711, 1160
v. Milan, 127 U. S. 139, 820, 827, 831, 839, 875, 876, 918
v. Mississippi, &c., R. Co., 1 Fed. 564, 167
v. Newburyport, &c., Horse R. Co., 141 Mass. 496, 212, 276, 353, 492, 619
v. Ohio River R. Co., 52 S. E. 520, 1527, 1702
v. Silver Spring, &c., R. Co., 12 R. I. 112, 1271, 1288
Kellner v. Connecticut, &c., Co., 107 Mass. 411, 1181
Kellinger v. Forty-second St., &c., Co., 50 N. Y. 206, 1089
Kelliny v. Missouri Pac. R. Co., 101 Mo. 67, 1251
Kellogg v. Chicago, &c., R. Co., 26 Wis. 223, 1226, 1231, 1238
v. Ely, 15 Ohio St. 64, 871
v. Freeman, 50 Miss. 127, 625
v. Larkin, 3 Pinney (Wis.), 123, 383
v. Malin, 50 Mo. 496, 972
v. Milwaukee, &c., R. Co., 5 Dill. 537, 1228, 1231
v. New York, &c., R. Co., 79 N. Y. 72, 1378, 1378b, 1805
v. Robinson, 6 Vt. 276, 420
v. Smith, 179 Mass. 595, 1628
v. Stockwell, 75 Ill. 68, 178
v. Suffolk, &c., R. Co., 100 N. Car. 158, 1411
Kellogg Bridge Co. v. Hamilton, 110 U. S. 108, 352
Kellow v. Central Iowa, &c., R. Co., 68 Iowa, 470, 1363, 1573, 1585, 1589, 1635
Kelly, Appeal of, 12 Atl. 256, 1061
Kelly, In re, 5 Fed. 846, 528
Kelly v. Abbott, 63 Wis. 307, 1296
v. Alabama, &c., R. R. Co., 58 Ala. 489, 480, 497, 539, 540, 544
v. Baltimore, &c., R. Co. (Pa. St.) 11 Atl. 659, 1269, 1312
v. Cable Co., 13 Mont. 411, 1768
v. Chicago, &c., R. Co. (Iowa), 61 N. W. 957, 1677
v. Chicago, &c., R. Co., 88 Mo. 534, 1167, 1689i
v. Cohoes Knitting Co., 8 App. Div. (N. Y.) 156, 1689i
v. Duluth, &c., R. Co., 92 Mich. 19, 1153
v. Hendrie, 26 Mich. 255, 1095, 1096cp
v. Lehigh, &c., Co., 8 Daly (N. Y.), 291, 216

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

Kelly v. Malott, 135 Fed. 74, 1625a, 1645
v. Manhattan R. Co., 112 N. Y. 443, 1641
v. Mayor, 11 N. Y. 432, 1063
v. Metropolitan St. R. Co., 54 N. Y. S. 173, 1096cc
v. Michigan, &c., R. Co., 65 Mich. 186, 1153, 1258
v. Newburyport, &c., R. Co., 141 Mass. 496, 227
v. New York, &c., R. Co., 109 N. Y. 44, 1096cu
v. Nypano R. Co., 23 Pa. Co. Ct. 177, 945
v. People's Transportation Co., 3 Ore. 189, 353
v. Pittsburgh, &c., R. Co., 28 Ind. App. 457, 1057
v. Railroad Co., 175 Mass. 331, 1096bq
v. Receiver of Green Bay, &c., R. R. Co., 5 Fed. 846, 528
v. Southern Minn. R. Co., 28 Minn. 98, 1102, 1112, 1171, 1252
v. Third Ave. R. Co., 25 App. Div. (N. Y.) 603, 1845
v. Trustees, &c., 58 Ala. 489, 385, 546
v. Union R. Co., 18 Mo. App. 151, 1315c
v. Union Trac. Co., 199 Pa. St. 322, 1342
v. Wakefield, &c., R. Co., 175 Mass. 331, 1096cj
Kelly, &c., R. Co. v. Central R. Co., 70 N. J. L. 190, 1702
Kellyville v. Petraytis 195 Ill. 215, 1366a
Kellyville Coal Co. v. Burgas, 223 Ill. 595, 1302
Kelner v. Bexter, L. R. 2 Com. P. 174, 13, 14, 353
Kelsey v. Missouri Pac. R. Co., 129 Mo. 302, 1166
v. New England, &c., R. Co., 60 N. J. Eq. 230, 347
v. Northern, &c., Co., 45 N. Y. 505, 128
Keltenbaugh v. St. Louis, &c., R. Co., 34 Mo. App. 147, 1214
Kember v. Southern Exp. Co., 22 La. Ann. 158, 1421, 1510
Kemble, Appeal of, 140 Pa. St. 14, 630
Kemble v. Philadelphia, &c., R. Co., 140 Pa. St. 14, 945
Kemp v. Coughtry, 11 Johns. (N. Y.) 107, 1401b
v. Falk, L. R. 7 App. Cas. 573, 1542, 1543
v. Northern Pac. R. Co., 89 Minn. 139, 1179b
v. Southeastern R. Co., L. R. 7 Ch. 364, 973
Kemper v. Cincinnati, &c., R. Co., 11 Ohio St. 392, 973
Kendall v. Albia, 73 Ia. 241, 1820
v. London, &c., R. Co., L. R. 7 Exch. 373, 1545, 1548
v. Louisville, &c., R. Co., 76 S. W. 376, 1258
v. Missisquoi, &c., R. Co., 55 Vt. 438, 1048
v. Post, 8 Ore. 141, 1012
v. United States, 12 Pet. 524, 646
Kendig v. Chicago R. Co., 79 Mo. 207, 1205
Kendrick v. Towle, 60 Mich. 363, 1228, 1238
Kenicott v. Supervisors, 16 Wall. (U. S.) 452, 484, 513, 826, 827, 898
Kennard v. Louisiana, 92 U. S. 480, 1019
Kennayde v. Pacific Railroad Co., 45 Mo. 255, 701, 1158
Kenne v. Hannibal, &c., R. Co., 63 Mo. 99, 1232
Kennebec Water Dist. v. Waterville, 97 Me. 185, 878, 1684b, 1684f
Kennebec, &c., R. Co. v. Kendall, 31 Me. 470, 147, 149, 156, 191, 193
v. Palmer, 34 Me. 366, 102, 155
v. Portland, &c., R. Co., 54 Me. 173, 165, 493, 620
v. Portland, &c., R. Co., 59 Me. 9, 385, 488, 958
v. Waters, 34 Me. 369, 114
Kennedy v. American Ex. Co., 22 Ont. App. 278, 1520
v. Busse, 60 Ill. App. 440, 1804
v. California, &c., Bank, 101 Cal. 49, 373
v. Denver, &c., R. Co., 10 Colo. 493, 1257
v. First Nat. Bank, 115 N. C. 223, 305
v. Green, 3 Mylne & K. 699, 226
v. Indianapolis, 103 U. S. 599, 980, 1048
v. Indianapolis, &c., R. Co., 3 Fed. 97, 572
v. Lake Superior, &c., Co., 93 Wis. 32, 1272
v. McLellan, 76 Mich. 598, 190
v. Milwaukee, &c., R. R. Co., 22 Wis. 581, 1003, 1050
v. Mobile, &c., R. Co., 74 Ala. 430, 1527
v. New York, &c., R. Co., 125 N. Y. 422, 1096cr
v. North Mo. R. Co., 36 Mo. 351, 1156
v. Palmer, 6 Gray, 316, 842
v. Panama, &c., Co., L. R. 2 Q. B. 580, 127
v. Pennsylvania, &c., R. Co., 1 Mon. (Pa.) 271, 1289
v. Rochester, &c., R. Co., 130 N. Y. 654, 1689l
v. St. Louis R. Co., 43 Mo. App. 1, 1095
v. St. Paul, &c., R. Co., 2 Dillon (U. S.), 448, 542, 545, 547, 549, 580, 590, 591, 1062
v. Southern R. Co., 59 S. Car. 535, 1841
v. Strong, 14 Johns. (N. Y.) 128, 47, 57
Kenneth v. South Carolina R. Co., 15 Rich. (S. Car.) 284, 1564
Kennett's Petition, 24 N. H. 139, 976
Kennett v. Plummer, 28 Mo. 142, 801
Kenney v. Central R. Co., 61 Ga. 590, 1316
v. Hannibal, &c., R. Co., 63 Mo. 99, 1224
v. Hannibal, &c., R. Co., 70 Mo. 252, 1231, 1232
v. Meddaugh, 118 Fed. 209, 1269
v. New York, &c., R. Co., 125 N. Y. 422, 1498, 1505, 1578a, 1604, 1608, 1645
Kennicott v. Wayne Co., 6 Biss. (U. S.) 138, 484
Kennon v. Gilmer, 131 U. S. 22, 1828
v. Gilmer, 5 Mont. 257, 1828

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kenny v. Pittsburgh, &c., R. Co., 208 Pa. St. 30, 962, 973
Kenosha v. Lamson, 9 Wall. 477, 486, 843
Kenosha, &c., R. Co. v. Marsh, 17 Wis. 13, 43, 252, 325
Kensington, The, 183 U. S. 263, 1494, 1507
Kensington, &c., Turnp. Co., In re, 97 Pa. St. 260, 1041
Kent v. Baltimore, &c., R. Co., 45 Ohio St. 284, 1593
v. Brickmaking Co., 17 Law T. (N. S.) 77, 11
v. Dana, 100 Fed. 56, 890, 897
v. Freehold, &c., Co., L. R. 3 Ch. App. 493, 132, 176
v. Lake Superior, &c., Co., 144 U. S. 75, 529, 592
v. Midland R. Co., L. R. 10 Q. B. 1, 1596, 1661
v. Muscatine, &c., R. Co., 115 Ia. 383, 1073
v. New Orleans, &c., R. Co., 67 Miss. 608, 1205
v. N. Y., &c., R. Co., 12 N. Y. 628, 668, 1061, 1065
v. N. Y., &c., R. Co., 120 N. Y. 467, 1643
v. Quicksilver Mining Co., 78 N. Y. 159, 81, 82, 193, 196, 368, 373
Kent, &c., R. Co. v. London, &c., Co., L. R. 3 Ch. 656, 438
Kenton County Court v. Bank Lick, &c., Co., 10 Bush (Ky.), 529, 17, 41, 962, 964
Kenton Furnace, &c., Co. v. McAlpin, 5 Fed. 737, 156, 164, 320, 321
Kenton Ins. Co. v. Bowman, 84 Ky. 430, 99, 101, 216
Kentucky Cent. R. Co. v. Commonwealth, 67 Ky. 661, 525
Kentucky Improvement Co. v. Slack, 100 U. S. 648, 1. 5, 826
Kentucky Railroad Tax Cases, 115 U. S. 321, 741, 771, 772a, 776, 951
Kentucky Railroad Tax Cases, 92 U. S. 663, 740
Kentucky Wagon, &c., Co. v. Louisville, &c., R. Co., Law & Eq. Ct. of Louisville, Dec. 20, 1891, 1567
v. Louisville, &c., Co., 11 Ry. & Corp. L. J. 49, 200
v. Ohio, &c., R. Co. (Ky.), 32 S. W. 595, 1567, 1568
Kentucky, &c., Bridge Co. v. Buckler, 100 S. W. 328, 1645a
v. Krieger, 93 Ky. 243, 630, 1081
v. Louisville, &c., R. Co., 37 Fed. R. 567, 675, 676, 725, 1056b, 1395, 1397, 1400, 1440, 1452, 1666, 1667, 1672, 1680, 1685, 1686
v. Montgomery, 67 S. W. 1008, 1263
Kentucky, &c., Ins. Co. v. Western, &c., Railroad, 8 Baxt. 268, 1412, 1443
Kentucky, &c., R. Co. v. Ackley, 87 Ky. 278, 1300, 1316
v. Barrow, 89 Ky. 638, 1221
v. Bourbon County, 85 Ky. 98, 823a, 827, 836, 860, 865, 872
v. Gastineau, 83 Ky. 119, 1248, 1259, 1801
Kentucky, &c., R. Co. v. Jameson (Ky.), 20 S. W. 258, 1303
v. Kenney, 82 Ky. 154, 945, 1188
v. Kenney (Ky.), 20 Am. & Eng. R. Cas. 458, 420
v. Lebus, 14 Bush, 518, 1180, 1205, 1209
v. McKinney, 9 Ind. App. 213, 1590, 1628, 1641
v. Quinkert, 2 Ind. App. 244, 1644
v. Smith (Ky.), 18 L. R. A. 63, 1162
v. Sydor, 82 S. W. 989, 1249
v. Talbot, 78 Ky. 621, 1213
v. Thomas, 79 Ky. 160, 1581, 1631
Kentucky, &c., Co. v. Slack, 100 U. S. 648, 1
Kenyon v. New York, &c., R. Co., 5 Hun (N. Y.), 479, 1257
Keokuk, The, 9 Wall. 517, 1463
Keokuk, &c., Bridge Co. v. Illinois, 175 U. S. 626, 766, 778
v. People, 185 Ill. 276, 751
Keokuk, &c., R. Co. v. County Court of Scotland, 41 Fed. 305, 331
Keokuk, &c., Co. v. Davidson, 13 Mo. App. 561, 564
v. Davidson, 95 Mo. 467, 275
v. Missouri, 152 U. S. 301, 63, 324, 330, 331, 335, 525, 531, 746, 747, 749
v. True, 88 Ill. 608, 1578
Keppel's Adm'r v. Petersburg R. Co., Chase's Dec. (U. S.) 167, 305, 310, 311, 321
Kerchner v. Gettys, 18 S. Car. 521, 241
Kerman v. Market St. R. Co., 137 Cal. 326, 1096bq, 1096cj
Kern v. Chicago, &c., Assn., 140 Ill. 371, 626
v. Day, 45 La. Ann. 71, 98
v. Huidekoper, 103 U. S. 485, 654, 1371
v. Kansas City, &c., R. Co., 125 Ga. 496, 1702
Kerner v. Baltimore, &c., R. Co., 149 Ind. 21, 1319
Kernochan, In re, 104 N. Y. 618, 305, 306, 307
Kernochan v. New York, &c., R. Co., 128 N. Y. 559, 1001
Kerns v. Chicago, &c., R. Co. (Iowa) 62 N. W. 692, 1290
Kerp v. Michigan, &c., R. Co., 6 Chicago Legal News, 101, 544, 546, 553, 557
Kerr, Matter of, 42 Barb. (N. Y.) 119, 1, 1096b
Kerr v. Boston, &c., R. Co., 188 Mass. 434, 1096bo
v. Corry, 105 Pa. St. 282, 897
v. Grand Trunk R. Co., 24 U. C. C. P. 209, 1651, 1653, 1654
v. Moore, 54 Miss. 286, 1073
v. New York El. R. Co., 96 N. Y. S. 1021, 1006
v. Pennsylvania R. Co., 169 Pa. St. 95, 1368
v. South Park Commissioner, 117 U. S. 379, 980, 995
v. White, 7 Baxt. (Tenn.) 394, 552
v. Woolly, 3 Utah, 456, 751
Kerrigan v. Pennsylvania R. Co., 194 Pa. St. 98, 1268, 1272, 1813
Kerrison v. Stewart, 93 U. S. 155, 1003
Kersey v. Kansas City, &c., R. Co., 79 Mo. 362, 1292

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kersey v. Schuykill, &c., R. Co., 133 Pa. St. 234, 1003a
Kersey Oil Co. v. Oil Creek, &c., R. Co., 5 W. N. C. (Pa.) 144, 262
v. Oil Creek, &c., R. Co., 12 Phila. 374, 227, 440
Kershaw v. Mathews, 1 Russ. (Eng. Ch.) 362, 558
Kerwhacker v. Cleveland, &c., Co., 3 Ohio St. 172, 1096bn, 1180, 1181, 1204, 1209
Kesee v. Chicago, &c., R. Co., 30 Iowa, 78, 1226
Kessell v. Butter, 53 N. Y. 612, 1096cc
Kessinger v. Vannata, 27 Fed. 890, 655a
Kessler v. Citizens' St. R. Co., 20 Ind. App. 427, 1096ci
v. Ensley, 123 Fed. 546, 270
v. New York, &c., R. Co., 61 N. Y. 538, 1658
v. New York, &c., R. Co., 7 Lans. 62, 1435
v. Smith, 66 N. Car. 154, 1359, 1414
Kester v. Western Un. Tel. Co., 108 Fed. 926, 996b
Kestler v. Kern, 2 Ind. App. 488, 627
Kestner v. Pittsburg, &c., Traction Co., 158 Pa. St. 422, 1096ce
Ketcham v. Madison, &c., R. Co., 20 Ind. 260, 337, 338
v. New York, &c., R. Co., 177 N. Y. 247, 1049g
v. Texas, &c., R. Co., 38 La. Ann. 777, 1827
Ketcheson v. Southern Pac. R. Co., 19 Tex. Civ. App. 288, 1594a, 1599a
Ketchum v. Duncan, 96 U. S. 659, 487, 515, 527, 535
v. Pacific Railroad, 4 Dill. 78, 502
v. St. Louis, 101 U. S. 306, 502, 503, 526, 813
Kettering v. Jacksonville, 50 Ill. 39, 1096r
Ketterman v. Dry Fork R. Co., 48 W. Va. 606, 1278
Kettle v. Dallas, 35 Tex. Civ. App. 632, 1096ak
Kettle River R. Co. v. Eastern R. Co., 41 Minn. 461, 4, 366, 388, 416, 923, 946, 952, 960, 961
Kettlewell v. Watson, L. R. 21 Ch. Div. 685, 226
Key City, The, 14 Wall. 653, 336
Keyes v. Cedar Falls, 107 Iowa, 509, 1809
v. Minneapolis, &c., R. Co., 36 Minn. 290, 1218, 1821
v. Valley Tel. Co., 132 Mich. 281, 1378a
Keyes-Marshall, &c., Co. v. St. Louis, &c., R. Co., 80 S. W. 974, 1727
Keylen v. Missouri, &c., R. Co., 114 Mo. App. 66, 1689l
Keys v. Board, &c., 42 Cal. 252, 1054
Keyser v. Chicago, &c., R. Co., 56 Mich. 559, 1190, 1257, 1260, 1261, 1270, 1704
v. Chicago, &c., R. Co., 66 Mich. 390, 1190
v. Hitz, 133 U. S. 138, 93
v. Kansas City, &c., R. Co., 56 Iowa, 440, 1216
v. Lake Shore, &c., R. Co., 142 Mich. 143, 1004, 1005
v. Rice, 47 Md. 203, 627
Keystone Bridge Co. v. McCluney, 8 Mo. App. 496, 79
Keystone Bridge Co. v. Newberry, 69 Pa. St. 246, 1316
Keystone, &c., Iron Co. v. Martin, 132 U. S. 91, 518
Kibbe v. Stevenson, &c., Co., 136 Fed. 147, 1335
Keilbach v. Chicago, &c., R. Co., 11 S. Dak. 468, 1213
Kickland v. Menasha, &c., Co., 68 Wis. 34, 227
Kidd v. Alabama, 188 U. S. 730, 740, 772a
v. Pearson, 128 U. S. 1, 690, 1461, 1668, 1674
Kidwell v. Baltimore, &c., R. Co., 11 Gratt. (Va.) 676, 1058, 1059, 1160
v. Houston, &c., R. Co., 3 Woods (U. S.), 313, 1323
Kidwelly Canal Co. v. Raby, 2 Price, 93, 102
Kiebler v. Holmes, 58 Mo. App. 119, 1001
Kiecher v. Killbuck Turnp. Co., 33 Ind. 333, 1049
Kiel v. Carll, 51 Conn. 440, 1067
Kieran v. Sandars, 6 Ad. & El. 515, 1537
Kiernan v. Chicago, &c., R. Co., 123 Ill. 188, 1036, 1040
Kierzenkowski v. Philadelphia Trac. Co., 184 Pa. St. 459, 1096cl
Kiff v. Atchison, &c., R. Co., 32 Kan. 263, 1446
v. Old Colony, &c., R. Co., 117 Mass. 591, 1461, 1537
Kihlberg v. United States, 97 U. S. 398, 1058, 1059
Kilbourn v. Sunderland, 139 U. S. 505, 479
v. Thompson, 103 U. S. 168, 675, 677
Kile v. Town of Yellowhead, 80 Ill. 208, 1041, 1050, 1052
Kiley v. Chicago City R. Co., 189 Ill. 384, 1594
Killea v. Faxon, 125 Mass. 485, 1342
Killian v. Augusta, &c., R. Co., 78 Ga. 749, 1573
v. Georgia R. &c., Co., 97 Ga. 727, 1787
Killmer v. Hobart, 58 How. P. (N. Y.) 452, 555
v. New York, &c., R. Co., 100 N. Y. 395, 1560, 1564
Kilmer v. Moneyweight Scales Co., 36 Ind. App. 568, 1425
Kilpatrick v. Choctaw, &c., R. Co., 121 Fed. 11, 1272a
v. Grand Trunk R. Co., 74 Vt. 288, 1313, 1315, 1315d
v. Kansas City, &c., R. Co., 41 Am. St. 741, 1075
v. Kansas City R. Co., 38 Neb. 620, 1072, 1075
v. Penrose Ferry Bridge Co., 49 Pa. St. 118, 272
Kimball, The, 3 Wall. (U. S.) 37, 1572
Kimball v. Adams, 52 Wis. 554, 998
v. Atchison, T. & S. F. R. Co. 46 Fed. 888, 322
v. Bath, 38 Me. 222, 1825
v. Board, 21 Fed. R. 145, 892
v. Board, &c., 46 Cal. 19, 1012
v. Borden, 95 Va. 203, 1242
v. Brander, 6 La. 711, 1420
v. Cushman, 103 Mass. 194, 214
v. Goodburn, 32 Mich. 10, 551

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kimball v. New England, &c., R. Co., 69 N. H. 485, 89
v. Palmer, 80 Fed. 240, 1632
v. Railroad Co., 26 Vt. 247, 1693
v. Reding, 31 N. H. 352, 94
v. Rockland, 71 Me. 137, 1033
v. Rosendale, 42 Wis. 407, 843, 862
v. Rutland, &c., R. Co., 26 Vt. 247, 1396, 1466, 1501, 1545
v. Union Water Co., 44 Cal. 173, 98
Kimbell v. Chicago, &c., Co., 119 Fed. 102, 110
Kime v. Cass Co., 101 N. W. 2, 1008
Kimer v. St. Louis, &c., R. Co., 85 Mo. 611, 1828
Kimmel v. Interurban R. Co., 87 N. Y. S. 466, 1822
Kimmerlo v. Dowagiac Mfg. Co., 105 Mich. 640, 561, 584
Kimmish v. Ball, 129 U. S. 217, 667, 1668, 1669
Kincaid v. Dwinelle, 59 N. Y. 548, 73, 179, 186, 563, 606, 608
v. Indianapolis, &c., Co., 124 Ind. 577, 1085
v. Kansas City, &c., R. Co., 62 Mo. App. 365, 1689f
v. Oregon, &c., R. Co., 22 Ore. 35, 1689f, 1697
Kindel v. Hall (Colo. App.), 44 Pac. 781, 1286
Kinealy v. St. Louis, &c., R. Co., 69 Mo. 658, 362, 662, 941
Kinesley v. Lake Shore, &c., R. Co., 125 Mass. 54, 1656a
King's Case, L. R. 2 Ch. 714, 150
King v. Ashwell, 12 East, 22, 196
v. Alford, 9 Ont. Rep. 643, 1069
v. Barnes, 109 N. Y. 267, 1453
v. Belcher, 30 S. Car. 381, 1007
v. Boston, &c., R. Co., 9 Cush. 112, 1300
v. Bristol Dock Co., 6 Barn. & Cress. 181, 1106
v. Central of Georgia Co., 107 Ga. 754, 1249, 1592
v. Chicago, &c., R. Co., 79 Mo. 328, 1184
v. Chicago, &c., R. Co., 90 Mo. 520, 1185
v. Clarke, 1 East, 38, 54
v. Cross, 175 U. S. 396, 624, 627
v. Cutts, 24 Wis. 627, 568
v. Dickenson, 1 Saund. 135, 701
v. Follett, 3 Vt. 385, 307
v. Ford River, &c., Co., 93 Mich. 172, 1288
v. Great Marlow, 2 East, 244, 260
v. Illinois Cent. R. Co., 69 Miss. 245, 1265
v. Iowa, &c., R. Co., 34 Iowa, 458, 1005, 1036, 1040
v. Kerrison, 3 Maule & S. 526, 1096al
v. Lennox, 19 Johns. 235, 1466
v. Lindsey, 14 East, 318, 1096al
v. London, Skin. 293, 53
v. Macon, &c., R. Co., 62 Barb. (N. Y.) 160, 1439
v. Madison, 17 Ind. 48, 736, 738, 769
v. Marshall, 33 Beav. 565, 496
v. Mayor, &c., of New York, 102 N. Y. 171, 1000, 1001
v. Minneapolis Un. R. Co., 32 Minn. 224, 994, 1036
v. Morgan, 109 Fed. 446, 1302
v. New York, &c., R. Co., 4 Interst. Com. Com. 251, 1682
King v. New York, &c., R. Co., 3 Interst. Com. 534, 1682
v. New York, &c., R. Co., 66 N. Y. 181, 1063
v. New York, &c., R. Co., 72 N. Y. 607, 1700
v. Ohio, &c., R. Co., 7 Biss. (U. S.) 529, 575
v. Ohio, &c., R. Co., 2 Fed. 36, 81, 85
v. Ohio, &c., R. Co., 12 Chi. Leg. News, 219, 81
v. Ohio, &c., R. Co., 14 Fed. 277, 1316, 1327
v. Ohio, &c., R. Co., 22 Fed. 413, 1577, 1591, 1639
v. Oregon, &c., R. Co., 6 Idaho, 306, 1689c
v. Paterson, &c., R. Co., 29 N. J. L. 504, 309, 310, 311, 321
v. Paterson, &c., R. R. Co., 29 N. J. L. 82, 304
v. Portland, 2 Ore. 146, 781
v. Richards, 6 Whart. (Pa.) 418, 1426, 1537
v. Severn, &c., R. Co., 2 Barn. & Ald. 646, 458, 638, 811
v. Shepherd, 3 Story, 349, 1486
v. Sherwood, 22 App. Div. (N. Y.) 548, 1734
v. Southern Pac. R. Co., 109 Cal. 96, 1236
v. Southern R. Co., 119 Fed. 1017, 1049c
v. Talbot, 40 N. Y. 76, 94
v. Turnbull, &c., Co., 8 Can. Exch. 163, 1036b
v. United States, 59 Fed. 9, 976
v. Vance, 46 Ind. 246, 624
v. Woolbridge, 34 Vt. 565, 1502
v. Wycombe R. Co., 29 L. J. (Ch.) 734, 924
v. Yazoo, &c., R. Co., 87 Miss. 270, 1628, 1642
King Iron Bridge, &c., Co. v. St. Louis, 43 Fed. 768, 1059
Kingerman v. Lynn, &c., R. Co., 181 Mass. 387, 1096cu
Kingman v. Denison, 84 Mich. 608, 1539
v. Holthaus, 59 Fed. 305, 810
Kingman Co. v. Cornell University, 57 Fed. 149, 848
Kings County El. R. Co., In re, 105 N. Y. 97, 1081, 1096p
Kings Co. Elevated R. Co., In re, 58 Hun (N. Y.), 608, 1045
Kings, Co. R. Co., In re, 12 N. Y. Supp. 198, 987
Kings Co., &c., Insurance Co. v. Stevens, 101 N. Y. 411, 1086
Kings Lake Drainage, &c., Dist. v. Jamison, 176 Mo. 557, 1010
Kingsford v. Hood, 105 Mass. 495, 1702
Kingsland v. Kings County, &c., R. Co., 31 N. Y. Supp. 582, 1001
Kingsland, &c., Co. v. Massey, 69 Miss. 296, 1075
Kinion v. Kansas City, &c., R. Co., 39 Mo. App. 382, 326, 338
v. Kansas City, &c., R. R. Co., 39 Mo. App. 574, 338
Kinloch v. Craig, 3 T. R. 119, 1540
Kinnavey v. Terminal, &c., Assn., 81 Fed. 802, 1684l, 1688a
Kinnear v. Midland R. Co., 19 L. T. N. S. 387, 1570
Kinnear Mfg. Co. v. Beatty, 65 Ohio St. 264, 1086
Kinney v. Central, &c., Co., 34 N. J. Law, 513, 1645

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kinney v. Central R. Co., 32 N. J. L. 407, 1498, 1608
v. Corbin, 132 Pa. St. 141, 1329
v. Crocker, 18 Wis. 74, 537, 572, 576, 577
v. Hannibal, &c., R. Co., 70 Mo. 243, 1242
v. Louisville, &c., R. Co., 99 Ky. 59, 1639
Kinnick v. Chicago, &c., R. Co., 69 Iowa, 665, 1484, 1546, 1548, 1584b, 1555
Kinny v. Jewett, 90 N. Y. 267, 1527
Kinsey v. Wallace, 36 Cal. 462, 1828
Kinsley v. Buffalo, &c., R. Co., 37 Fed. 181, 1467
v. Charnley, 33 Ill. App. 553, 1060
v. Lake Shore, &c., R. Co., 102 U. S. 451, 1625
v. Lake Shore, &c., R. Co., 125 Mass. 54, 1618, 1625, 1654
Kinsman St. R. Co. v. Broadway, &c., R. Co., 36 Ohio St. 239, 922, 974, 1081, 1084, 1096s, 1096au
Kintner v. Pennsylvania R. Co., 204 Pa. St. 497, 1167
Kinyon v. Chicago, &c., R. Co., 118 Ia. 349, 1215
Kip v. New York, &c., R. Co., 6 Hun, 24, 963
v. New York, &c., R. Co., 67 N. Y. 227, 461, 958
Kiphart v. Pittsburgh, &c., Co., 7 Ind. App. 122, 789
Kipling v. Todd, L. R. 3 C. P. Div. 350, 342
Kippell v. Bailey, 2 Mylne & K. 517, 946
Kirby v. Adams Exp. Co., 2 Mo. App. 369, 1718
v. Boylston Market Asso., 14 Gray (Mass.), 249, 711
v. Canal Co., 20 App. Div. (N. Y.) 473, 1641
v. Citizens' R. Co., 48 Md. 168, 1082
v. Pennsylvania R. Co., 76 Pa. St. 506, 1344
v. Great Western, &c., Co., 18 L. T. N. S. 658, 219, 1546
v. Western Union Tel. Co., 4 S. Dak. 105, 1465
v. Western Union Tel. Co., 4 S. Dak. 439, 1500
Kirby, &c., Co. v. Citizens, &c., Co., 48 Md. 168, 1096o
Kircher v. Larchwood, 120 Ia. 578, 1773, 1798
Kirchner v. Oil City St. R. Co., 210 Pa. St. 45, 1096cz, 1630
Kird v. New Orleans, &c., R. Co., 109 La. Ann. 525, 1589, 1633, 1636
Kirk v. Atlantic, &c., R. Co., 94 N. Car. 625, 1327a
v. Bell, 16 Q. B. 290, 204
v. Chicago, &c., R. Co., 59 Minn. 161, 1463, 1521, 1533
v. Kansas City, &c., R. Co., 51 La. Ann. 667, 937
v. Norfolk, &c., R. Co., 41 W. Va. 722, 1211
v. Nowill, 1 Term. R. 118, 149, 197
v. United States, 137 Fed. 753, 624
Kirkbride v. Lafayette County, 108 U. S. 208, 826
Kirkendall v. Hunt, 4 Kan. 514, 1049
Kirker v. Owings, 98 Fed. 499, 576
Kirkland v. Dinsmore, 62 N. Y. 271, 1454, 1501, 1502
v. Hotchkiss, 100 U. S. 491, 751
Kirkland v. Missouri, &c., R. Co., 82 Mo. 466, 1195
Kirkman v. Bowman, 8 Rob. (La.) 246, 1419, 1420
Kirkpatrick v. Illinois, &c., R. Co., 96 S. W. 1036, 1201
v. Kansas City, &c., Co., 86 Mo. 341, 1429, 1692, 1743
v. Peshine, 24 N. J. Eq. 206, 360
v. State Board (N. J.), 29 Atl. Rep. 452, 606
Kirkpatrick v. New York, &c., Co., 79 N. Y. 240, 1299
Kirksey v. Florida, &c., Co., 7 Fla. 23, 149, 150
Kirkwood v. Hoxie, 95 Mich. 62, 1075
Kirst v. Milwaukee, &c., R. Co., 46 Wis. 489, 1290
Kirtland v. Montgomery, 1 Swan (Tenn.), 452, 1558
Kirtley v. Chicago, &c., R. Co., 65 Fed. 386, 1175, 1253, 1257
v. Holmes, 107 Fed. 1, 188
Kirton v. North Chicago St. R. Co., 91 Ill. App. 554, 1801
Kisch v. Central R., &c., 34 L. J. (Ch.) 545, 127, 130
Kiser v. State, 89 Ga. 421, 731
Kishacoquillas, &c., T. R. Co. v. McConaby, 16 Serg. & R. (Pa.) 140, 112
Kishlar v. Southern Pac. R. Co., 134 Cal. 636, 1003a
Kissenger v. New York, &c., R. Co., 56 N. Y. 538, 1157, 1161
Kisterbrook's Appeal, 127 Pa. 601, 79, 80, 99
Kistler v. Indianapolis, &c., R. Co., 88 Ind. 460, 1058, 1059
Kistner v. City of Indianapolis, 100 Ind. 210, 1077
Kitchen v. Cape Girardeau, &c., Co., 59 Mo. 514, 203, 224, 341
v. Chatham, &c., R. Co., 17 New Bruns. 215, 624
v. St. Louis, &c., R. Co., 69 Mo. 224, 276, 521, 529, 535
Kittell v. Missisquoi R. Co., 56 Vt. 96, 996, 1048
Kittinger v. Buffalo Trac. Co., 160 N. Y. 377, 1096b
Kittredge v. Osgood, 161 Mass. 384, 563, 574
Klaffke v. Bettendorf Axle Co., 125 Ia. 223, 1796
Klair v. Wilmington, &c., Co., 4 Pennew (Del.), 51, 1546, 1549a
Klanowski v. Grand Trunk R. Co., 64 Mich. 279, 1700
Klauber v. American, &c., R. Co., 21 Wis. 21, 1492
Klaus, In re, 26 Am. L. Reg. (N. S.) 98, 92
Klaus. In re, 67 Wis. 401, 92
Kleiber v. People's, &c., R. Co., 107 Mo. 240, 1171, 1689l
Klein v. Alton, &c., R. R. Co., 13 Ill. 514, 115, 149
v. Fischer, 30 Mo. App. 568, 1543
v. Jewett, 26 N. J. Eq. 474, 528, 573, 576, 577, 580, 1156, 1161, 1585, 1628
v. St. Paul, &c., R. Co., 30 Minn. 451, 1053
v. Second Ave. R. Co., 54 N. Y. Super. Ct. 164, 1808
Kleineist v. Kunhardt, 160 Mass. 230, 1345

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kleiner v. Third Ave. R. Co., 162 N. Y. 193, 1096ce
Kleise v. Galusha, 78 Iowa, 310, 870
Klepsch v. Donald, 4 Wash. 436, 1057, 1378
Kleven v. Great Northern R. Co., 70 Minn. 79, 1594
Kley v. Healy, 127 N. Y. 555, 1377
Kliegel v. Wiegel, 84 Wis. 148, 1318
Kligel v. Aitken, 94 Wis. 432, 1808
Kline v. Central Pac. R. Co., 37 Cal. 400, 1255, 1637
v. Santa Barbara, &c., R. Co., 90 Pac. 125, 1820
Klix v. Nieman, 68 Wis. 271, 1259
Klochinski v. Shore Lumber Co., 93 Wis. 417, 1319, 1697
Klockenbrink v. St. Louis, &c., R. Co., 172 Mo. 678, 1096bo
Klopp v. Creston, &c., Co., 34 Neb. 808, 621
Klosterman v. Chesapeake, &c., R. Co., 114 Ky. 426, 1049f, 1096
Klutts v. St. Louis, &c., R. Co., 75 Mo. 642, 1832
Knahtla v. Oregon, &c., R. Co., 21 Ore. 136, 654, 1271, 1697
Knapp v. Grant, 27 Wis. 147, 843
v. Lake Shore, &c., R. Co., 197 U. S. 536, 697, 1688a
v. Publishers, 127 Mo. 53, 89
v. Railroad Co., 20 Wall. (U. S.) 117, 647
v. St. Louis, &c., R. Co., 74 Mo. 374, 790, 1069, 1074
v. Sioux City, &c., R. Co., 71 Ia. 41, 1301a, 1813
v. Sioux City, &c., Co., 65 Iowa, 91, 1173
Knapp & Cowles Mfg. Co. v. New York, &c., R. Co., 76 Conn. 311, 948a, 1001a, 1057
Knapp, &c., Co. v. St. Louis R. Co., 126 Mo. 26, 1080
Knapp Elec. Works v. New York, &c., Co., 157 Ill. 456, 1425
Knauft v. St. Paul, &c., R. Co., 22 Minn. 173, 1006
Kneeland v. American L. & T. Co., 136 U. S. 89, 518, 522, 528, 580, 590
v. Bass Foundry, &c., Works, 140 U. S. 592, 528, 580
v. Lawrence, 140 U. S. 209, 484, 500
v. Milwaukee, 15 Wis. 454, 741
Kneierein v. New York, &c., R. Co., 109 App. Div. (N. Y.) 709, 1647
Knell v. United States & B. S. S. Co., 1 Jones & S. (23 N. Y. S. C.) 423, 1417
Kness v. Hammond, 92 Mich. 372, 1014
Knevals v. Florida Cent., &c., R. Co., 66 Fed. 224, 495, 515, 525, 813
Knepper v. Sands, 194 U. S. 476, 803
Knickerbocker Bank, In re, 19 Barb. (N. Y.) 602, 561
Knickerbocker Life Ins. Co. v. Ecclessine, 42 How. Pr. (N. Y.) 201, 615
Knickerbocker, &c., Co. v. Meyers, 133 Fed. 764, 178
Knight's Case, L. R. 2 Ch. 321, 152, 153, 154
Knight v. Carrollton R. Co., 9 La. Ann. 284, 41, 374, 923, 930, 971, 1076
v. Cooper, 36 W. Va. 232, 1314
v. New York, &c., R. Co., 99 N. Y. 25, 1207
Knight v. Pontchartrain, &c., R. Co., 23 La. Ann. 462, 1163, 1628
v. Portland, &c., R. Co., 56 Me. 234, 1435, 1584, 1592, 1596, 1641
v. Providence, &c., R. Co., 13 R. I. 572, 1403, 1451, 1477, 1558, 1562, 1569, 1691
v. Railroad Co., 108 Pa. St. 250, 1340
v. St. Louis, &c., R. Co., 140 Ill. 110, 1428
v. Toledo, &c., R. Co., 24 Ind. 402, 1210
v. West Jersey R. Co., 108 Pa. St. 250, 710, 1364, 1365
Knightstown v. Musgrove, 116 Ind. 121, 1178
Knoblauch v. Minneapolis, 56 Minn. 321, 1019
Knobloch v. Mueller, 123 Ill. 554, 516
v. Railroad Co., 31 Minn. 402, 1096ag
Knock v. Metropolitan R. Co., L. R. 4 C. P. 131, 978
Knoff v. Richmond, &c., R. Co., 85 Va. 769, 1610
Knoll v. Third Ave. R. Co., 46 App. Div. (N. Y.) 527, 1096ch
Knopf v. Philadelphia, &c., R. Co., 2 Pen. (Del.) 392, 1815, 1820
v. Richmond, &c., R. Co., 85 Va. 769, 364, 1600
Knori v. Germantown R. Co., 5 Wharton (Pa.) 256, 1048
Knorr v. Miller, 5 Ohio C. C. 609, 1096k
Knoth v. Barclay, 8 Colo. 300, 1010, 1025
v. Manhattan R. Co., 79 N. E. 1015, 1030b, 1049a
Knott v. Evening Post, 124 Fed. 342, 612
v. Raleigh, &c., R. Co., 98 N. C. 73, 1435, 1444
Knoup v. Piqua Branch, 1 Ohio St. 614, 68
Knowles v. Dabney, 105 Mass. 437, 1423
v. Norfolk, &c., R. Co., 102 N. C. 59, 1594, 1637
Knowlton v. Ackley, 8 Cush. 93, 248
v. Holt (N. H.), 30 Atl. 346, 1063
v. Light Co., 117 Ia. 451, 1096cm
Knox v. Childersburgh, &c., Co., 86 Ala. 180, 102
v. Eden, &c., Co., 148 N. Y. 441, 79
v. Lee, 12 Wall. (U. S.) 457, 487
v. New York Ninth National Bank, 147 U. S. 91, 859
v. New York, &c., R. Co., 69 Hun, 93, 1296
v. Pioneer, &c., Co., 90 Tenn. 546, 1303
v. The Ninetta, Crabbe (U. S. C. C.), 101, 1558
Knox County v. Aspinwall, 24 How. (U. S.) 376, 874
v. Harshman, 109 U. S. 229, 892
v. Ninth Nat. Bank, 147 U. S. 91, 819, 865, 883, 896, 905
Knoxville v. Africa, 77 Fed. 501, 65, 1096g, 1096i, 1096z, 1096ad
v. Knoxville, &c., R. R. Co., 22 Fed. 758, 43, 325, 370, 484
Knoxville Iron Co. v. Wilkins, &c., Co., 74 Ga. 493, 603
Knoxville Trac. Co. v. Wilkerson, 99 S. W. 992, 1096dd

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Knoxville Water Co. v. Knoxville, 189 U. S. 434, 1096ah
Knoxville, &c., R. Co. v. Acuff, 92 Tenn. 26, 1376
v. Beeler, 90 Tenn. 548, 416
v. Harris, 99 Tenn. 684, 21, 780
v. Hicks, 9 Baxt. (Tenn.) 442, 525
v. Wynich, 99 Tenn. 500, 1378a
Knudsen, &c., R. Co. v. Michigan Cent. R. Co., 148 Fed. 968, 1684i
Knupfle v. Knickerbocker, &c., Co., 84 N. Y. 488, 711
Kobe v. Northern Pacific R. Co., 36 Minn. 518, 1194, 1195
Koch v. Delaware, &c., R. Co., 54 N. J. L. 401, 1057d
v. New York R. Co., 95 N. Y. S. 559, 1601a
v. North Ave.-Ry. Co., 75 Md. 222, 7, 8, 20, 1076, 1096v
v. Pennsylvania R., 10 I. C. C. 675, 1686a
Koegel v. Missouri Pac. R. Co., 181 Mo. 379, 1251
Koehler, Ex parte, 23 Fed. 529, 366, 1678
Koehler, Ex parte, 25 Fed. 73, 1682
Koehler, Ex parte, 29 Am. & Eng. R. Cas. 44, 1690
Koehler, Ex parte, 30 Fed. 867, 691, 764, 1667, 1671, 1673
Koehler, In re, 31 Fed. 315, 1612
Koehler v. Black River, &c., Co., 2 Black. (U. S.) 715, 167, 274, 276, 491
v. Hill, 60 Iowa, 543, 865
v. Rochester, &c., R. Co., 66 Hun, 566, 1164
Koelle v. Knecht, 99 Ill. 396, 419
Koenig v. Chicago, &c., R. Co., 27 Neb. 699, 30, 956
v. Chicago, &c., R. Co., 65 N. W. 314, 1200
v. Union Depot R. Co., 173 Mo. 698, 1764
Koerber v. Patek, 123 Wis. 453, 1577b
Koerper v. St. Paul, &c., R. Co., 42 Minn. 340, 992
Koersen v. New Castle, &c., R. Co., 198 Pa. St. 30, 1096cl
Koestenbader v. Pierce, 41 Iowa, 204, 987
Koetter v. Manhattan, &c., R. Co., 36 N. Y. S. 611, 1589
Kohl v. Lilienthal, 81 Cal. 378, 327
v. United States, 91 U. S. 367, 650, 950, 980, 1010a, 1663
Kohler v. Pennsylvania, &c., R. Co., 135 Pa. St. 346, 1166, 1628
v. West Side St. R. Co., 99 Wis. 33, 1096cy
Kohn v. McNulta, 147 U. S. 238, 1269, 1272, 1279, 1288, 1296
v. Manhattan, &c., R. Co., 31 N. Y. 859, 1001
v. Richmond, &c., R. Co., 37 S. Car. 1, 1537
Kohner v. Capital Trac. Co., 22 App. Div. 181, 1096cx
Koken Iron Works v. Robertson Ave. R. Co., 141 Mo. 228, 6
Kokomo v. State, 57 Ind. 152, 879
Kokomo City St. R. Co. v. Pittsburg, &c., R. Co., 25 Ind. App. 335, 563
Kollock v. Parcher, 52 Wis. 393, 1068
Kolsti v. Minneapolis, &c., R. Co., 32 Minn. 133, 1177, 1259, 1697
Koons v. Chicago, &c., R. Co., 23 Iowa. 493, 1219
v. Lucas, 52 Ia. 177, 787a
Koontz v. Chicago, &c., R. Co., 65 Iowa, 224, 1272
v. Oregon, &c., R. Co., 20 Ore. 3, 1241, 1242, 1243, 1243a
Kopp v. Northern Pac. R. Co., 41 Minn. 310, 1828
Korrady v. Lake Shore, &c., R. Co., 131 Ind. 261, 1165, 1168
Kortwright v. Buffalo, &c., Bank, 20 Wend. (N. Y.) 90, 98
Koschman v. Ash, 108 N. W. 514, 1278a
Koshkonong v. Burton, 104 U. S. 668, 486, 769, 1007
Kossler v. Pittsburgh, &c., R. Co., 208 Pa. St. 50, 995, 996
Kotz v. Illinois Central R. Co., 188 Ill. 578, 946b, 1057
Kountz v. Brown, 16 B. Mon. (Ky.) 586, 1801
v. Morris Aqueduct, 58 N. J. L. 303, 1035a
Krakauer v. Locke, 6 Tex. Civ. App. 446, 1070
Kramer v. Chicago, &c., R. Co., 101 Ia. 178, 1511, 1512
v. Cleveland, &c., R. Co., 5 Ohio St. 140, 952, 953, 954, 960, 987, 1012, 1015, 1019, 1021, 1039
v. Market St. R. Co., 25 Cal. 434, 1368
v. Stockton, &c., R. Co. (Cal. App.) 86 Pac. 738, 1096bs
Krampe v. St. Louis, &c., Assn., 59 Mo. App. 277, 1273, 1278
Kraniger v. People's, &c., Assn., 60 Minn. 94, 295, 350
Kraus v. Burlington, &c., R. Co., 55 Iowa, 338, 1207
v. Pennsylvania, &c., R. Co., 139 Pa. St. 272, 1164, 1179i
Krause v. Morgan (Ohio St.), 40 N. E. R. 886, 1315, 1374
Krauss v. Lake Erie, &c., R. Co., 29 Ind. App. 216, 1633
v. Wallkill, &c., R. Co., 69 Hun, 482, 1171
Kraut v. Frankford, &c., R. Co., 160 Pa. St. 327, 1092, 1096cc, 1378
Krebs v. Carlisle Bank, 2 Wall. C. C. 33, 613
Kreiger v. Shelby R. R. Co, 84 Ky. 66, 156, 869, 878
Kreimelmann v. Jourdan, 107 Mo. App. 64, 1840
Krejci v. Chicago, &c., R. Co., 117 Ia. 344, 1239
Kremer v. Chicago, &c., R. Co., 51 Minn. 15, 949, 1033
v. Southern, &c., Co., 6 Cold. 356, 1463
Krender v. Woolcott, 1 Hill (N. Y.), 223, 1401a
Krenzer v. Pittsburgh, &c., R. Co. 151 Ind. 587, 1259, 1261
Kressin v. Central Rl. Co., 103 N. Y. S. 1002, 1662
Krippendorf v. Hyde, 110 U. S. 276, 552
Krogg v. Atlanta, &c., R. Co., 77 Ga. 202, 1321, 1689i
Krohn v. Williamson, 62 Fed. 218, 290
Krone v. Southwestern R. Co., 97 Mo. App. 609, 1639
Kropholler v. St. Paul, &c., R. Co., 2 Fed. 302, 515
v. St. Paul, &c., Ry., 1 McCrary (U. S.), 299, 533

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Kroy v. Chicago, &c., R. Co., 32 Iowa, 357, 1292, 1295
Krueger v. Louisville, &c., R. Co., 111 Ind. 51, 1323
v. St. Louis, &c., R. Co., 185 Mo. 227, 939
Krulder v. Ellison, 47 N. Y. 36, 1426, 1430, 1523, 1692
Krulevitz v. Eastern R. Co., 143 Mass. 228, 1265
Krumm v. St. Louis, &c., R. Co., 71 Ark. 590, 1629
Kruse v. Chicago, &c., R. Co., 82 Wis. 568, 1344
v. Dusenbury, 19 Weekly Dig. (N. Y. C. P.) 201, 190
Krutz v. Paola Town Co., 20 Kan. 397, 62
Kucheman v. Chicago, &c., R. Co., 46 Iowa, 366, 993, 995, 996, 1087
Kudix v. Lehigh, &c., R. Co., 78 Hun, 492, 1280
Kuehl v. Chicago, &c., R. Co., 126 Ia. 638, 1209
Kuehner v. Freeport, 143 Ill. 92, 786, 787a
Kuhl v. Chicago, &c., R. Co., 101 Wis. 42, 1049
Kuhlen v. Boston, &c., R. Co., 79 N. E. 815, 1645a
Kuhlman v. Metropolitan St. R. Co., 29 Misc. (N. Y.) 773, 1833
Kuhn v. Chicago, &c., R. Co., 42 Iowa, 420, 1180
v. Chicago, &c., R. Co., 74 Ia. 137, 1798
v. Cincinnati, &c., R. Co., 42 Iowa, 420, 1209
v. Freeman, 15 Kan. 423, 1001
v. Jewett, 32 N. J. Eq. 647, 1231
v. Knight, 101 N. Y. S. 1, 1096k
Kuhns v. Wisconsin, &c., R. Co., 70 Iowa, 561, 1289, 1297
Kumler v. Junction Railroad Co., 33 Ohio St. 150, 1303a, 1645
Kundinger v. Saginaw, 59 Mich. 355, 1053
Kunkle v. Franklin, 13 Minn. 127, 843, 862
Kunkelman v. Rentchler, 15 Brad. (Ill.) 271, 186
Kuntz v. Sumption, 117 Ind. 1, 771, 1019
v. School Dist., 11 S. Dak. 578, 880
Kupfer v. South Parish, 12 Mass. 185, 256
Kurtz v. Moffit, 115 U. S. 487, 646
v. Philadelphia, &c., R. Co., 187 Pa. St. 59, 532
Kurz v. Milwaukee, &c., R. Co., 84 Wis. 171, 1237, 1245a
Kuschke v. St. Paul, 45 Minn. 225, 1019
Kuser v. Wright (N. J.), 31 Atl. 397, 351
Kuter v. Michigan, &c., R. Co., 1 Biss. 35, 1491, 1649
Kyle v. Buffalo, &c., R. Co., 16 U. C. C. P. 76, 1695
v. Malin, 8 Ind. 34, 782
v. Texas & N. O. R. Co. (Tex.) 4 L. R. A. 275, 961
Kynaston v. Mayor, 2 Strange, 1051, 164
Kyne v. Wilmington, &c., R. Co., 8 Houst. (Del.) 185, 1092, 1105, 1262

L.

La Bourgoyne, The, 144 Fed. 781, 1649
Lacas v. Detroit R. Co., 92 Mich. 412, 1820, 1822
Lacey v. Troy, &c., R. Co., 38 N. Y. 433, 5
Lachat v. Lutz, 94 Ky. 287, 1248
Lachner Bros. v. Adams Exp. Co., 72 Mo. App. 13, 1719
Lackawanna, &c., Co. v. Bates, 56 Fed. 737, 646
Lackawanna, &c., R. Co. v. Chenewith, 52 Pa. St. 382, 1191
v. Doak, 52 Pa. St. 379, 1224, 1244
v. Farmers', &c., Co., 176 U. S. 298, 528
v. Luzerne County, 42 Pa. St. 424, 750
Lackin v. Delaware, &c., R. Co., 22 Hun (N. Y.), 309, 1218
Lackland v. Chicago, &c., R. Co., 101 Mo. App. 420, 1479, 1550, 1551a
v. North Missouri, &c., R. Co., 31 Mo. 180, 1076
Laclouch v. Towle, 3 Esp. 114, 1537
La Confiance, &c., v. Hall, 137 U. S. 61, 649
LaConner, &c., Co. v. Widmer, 136 Fed. 177, 1731
LaCroix v. County Commissioners, 50 Conn. 321, 1053
v. Lyons, 27 Fed. 403, 656
La Crosse v. Cameron, 80 Fed. 264, 400
La Crosse City R. Co. v. Higbee, 107 Wis. 389, 1096c
La Crosse, &c., Harvester Co. v. Goddard, 114 Wis. 610, 110
La Crosse, &c., R. Co. v. Chicago, &c., Co., 2 Interst. Com. 9, 1686
v. Vanderpool, 11 Wis. 119, 1066
La Croy v. New York, &c., R. Co., 132 N. Y. 570, 1294
Lacy v. Arnett, 33 Pa. St. 169, 949
v. Gentry, 56 S. W. 949, 1798
Ladd v. Brockton, &c., R. Co., 180 Mass. 454, 1096bw, 1301a, 1315h
v. Foster, 31 Fed. 827, 1378, 1481, 1583, 1585
v. Harvey, 21 N. H. 514, 558
v. New Bedford, &c., R. Co., 119 Mass. 412, 1268, 1269, 1271, 1289, 1348
v. New York, &c., R. Co., 79 N. E. 742, 1551
Ladue v. Griffith, 25 N. Y. 364, 1412, 1449
Lady Franklin, The, 8 Wall. 325, 1419
Laethem v. Ft. Wayne, &c., R. Co., 100 Mich. 297, 1095, 1096cf
Lafarier v. Grand Trunk R. Co., 84 Me. 286, 1598, 1670a,
Lafaye v. Harris, 13 La. Ann. 553, 1691
Lafayette v. Cox, 5 Ind. 38, 876
v. Weaver, 92 Ind. 477, 1177
Lafayette Bridge Co. v. Olsen, 108 Fed. 335, 1316
Lafayette Co. v. Neely, 21 Fed. 738, 583
Lafayette Ins. Co. v. French, 18 How. (U. S.) 404, 621, 766, 773
Lafayette Plank Road Co. v. New Albany, &c., R. Co., 13 Ind. 90, 32, 418, 718, 964, 967, 968, 1004, 1056
Lafayette, &c., Bank v. St. Louis, &c., Co., 2 Mo. App. 299, 351
Lafayette, &c., Co. v. Murdock, 68 Ind. 137, 418, 718, 977, 985, 996
Lafayette, &c., Corp. v. Ryland, 80 Wis. 29, 176

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lafayette, &c., R. Co. v. Butner, 162 Ind. 460, 1053
v. Cheeney, 87 Ill. 446, 272
v. Ehman, 30 Ind. 83, 16891
v. Geiger, 34 Ind. 185, 1, 820, 821, 872
v. Huffman, 28 Ind. 287, 1262
v. Pattison, 41 Ind. 312, 1564
v. Shriner, 6 Ind. 141, 1204
v. Smith, 6 Ind. 249, 1004, 1048
v. Winslow, 66 Ill. 219, 1037, 1239
Lafferty v. Chicago, &c., R. Co., 70 Mich. 433, 1220
v. Chicago, &c., R. Co., 71 Mich. 35, 660
v. Hannibal, &c., R. Co., 44 Mo. 291, 1207
v. Schuylkill, &c., R. Co., 124 Pa. St. 297, 927, 972, 1003
Laflin v. Buffalo, &c., R. Co., 106 N. Y. 136, 1274, 1590, 1628a, 1628b, 1641
Laffrey v. Grummond, 74 Mich. 186, 1535, 1652, 1652a, 1655
Lafitte v. New Orleans, &c., R. Co., 43 La. Ann. 34, 1265, 1638
Laflin v. Chicago, &c., R. Co., 34 Fed. 859, 1059
v. Chicago, &c., R. Co., 33 Fed. 415, 987, 988, 1040
Laflin, &c., Co. v. Sinsheimer, 46 Md. 315, 190
LaFollette v. Akin, 36 Ind. 1, 537, 569
Lagarde v. Anniston, &c., Co., 126 Ala. 496, 275
Lagrange, &c., Co. v. Mays, 29 Mo. 64, 127
Lagrange, &c., R. Co. v. Rainey, 7 Coldw. (Tenn.) 420, 47, 52, 55, 62, 163, 606, 607
Lahey v. Central Park, &c., R. Co., 51 N. Y. St. 589, 1096ce
Lahr v. Metropolitan Elevated R. Co., 104 N. Y. 268, 7, 978, 1056a, 1085, 1091, 1096
Laible v. New York, &c., R. Co., 13 App. Div. (N. Y.) 574, 11791
Laidlaw v. Morrow, 44 Mich. 547, 625
v. Portland, &c., R. Co., 42 Wash. 292, 1065
Laidlow v. Hatch, 75 Ill. 11, 1058
Lail v. Mt. Sterling Road Co., 76 Ky. 32, 111a
Laing v. Colder, 8 Pa. St. 479, 1501, 1584, 1633, 1644, 1661, 1696
v. United N. J. & Co., 54 N. J. L. 576, 1036
Laird v. Chicago, &c., R. Co., 78 Mo. App. 273, 1801
v. Connecticut, &c., R. Co., 55 N. H. 375, 649
v. Connecticut, &c., R. Co., 62 N. H. 254, 1223, 1233, 1238, 1240
v. Pittsburg, &c., R. Co., 166 Pa. St. 4, 1602
Lake v. Argyle, 6 Q. B. 477, 10, 13
v. Virginia, &c., R. Co., 7 Nev. 294, 968
Lake County v. Dudley, 173 U. S. 243, 888, 898
v. Graham, 130 U. S. 674, 890, 895
v. Rollins, 130 U. S. 662, 890, 895
Lake, &c., R. Co. v. Eckler, 13 Ind. 67, 1061
Lake Erie, &c., R. Co. v. Acres, 108 Ind. 548, 1574, 1637, 1823
v. Arnold, 8 Ind. App. 207, 1823, 1845
Lake Erie, &c., R. Co. v. Arnold, 26 Ind. App. 190, 1591
v. Bailey, 61 Fed. 494, 633
v. Beam, 60 Ill. App. 68, 1200
v. Black, 54 Ill. App. 85, 1244
v. Board of Commissioners, 57 Fed. 945, 966, 967
v. Bowker, 9 Ind. App. 428, 790
v. Brafford (Ind. App.), 43 N. E. R. 882, 1257, 1701
v. Charman, 161 Ind. 95, 650a, 1356, 1689f
v. Close, 5 Ind. App. 444, 1823
v. Cluggish, 143 Ind. 347, 1057g
v. Condon, 10 Ind. App. 536, 1433, 1564
v. Craig, 80 Fed. 488, 1282, 1795
v. Craig, 73 Fed. 642, 1374
v. Everett, 86 Ind. 229, 1296
v. Falk, 62 Ohio St. 297, 1233. 1234
v. Fike, 35 Ind. App. 554, 1157, 1171
v. Fix, 88 Ind. 381, 216, 1594, 1823
v. Ford, 78 N. E. 969, 1241
v. Gossard, 14 Ind. App. 244, 1243, 1689h
v. Griffin, 92 Ind. 487, 526, 532, 1048, 1049
v. Griffin, 107 Ind. 464, 958
v. Griffin, 8 Ind. App. 47, 1689c
v. Hancock, 15 Ind. App. 104, 1689c, 1698
v. Hatch (Ohio St.), 11 Lewis Am. R. & Corp. R. 611, 1527
v. Hennessey, 78 N. E. 670, 1258
v. Holland, 162 Ind. 406, 1480
1502, 1504, 1551, 1553, 1714
v. James, 10 Ind. App. 550, 1466, 1577b
v. Juday, 19 Ind. App. 436, 1096cn, 1175, 1179f, 1264
v. Kinsey, 87 Ind. 514, 986, 1049, 1050, 1053
v. Kneadle, 94 Ind. 454, 1194
v. Kokomo, 130 Ind. 224, 922, 966, 1053, 1098
v. Lee, 14 Ind. App. 328, 945
v. Lowder, 7 Ind. App. 537, 1263
v. McFall, 165 Ind. 574, 1225, 1230
v. McHenry, 10 Ind. App. 525, 1278, 1307, 1766
v. Mackey, 53 Ohio St. 370, 1261, 1689c
v. Maron, 18 Ind. App. 193, 1227
v. Mays, 4 Ind. App. 413, 1603
v. Michener, 117 Ind. 465, 629, 938
v. Middlecoff, 150 Ill. 27, 1226, 1243, 1243a, 1244
v. Mikesell, 23 Ind. App. 395, 711, 1689a
v. Miller, 9 Ind. App. 192, 1241
v. Miller, 24 Ind. App. 662, 1243a
v. Morain, 36 Ill. App. 632, 1787
v. Morrisey, 177 Ill. 376, 1268
v. Mugg, 132 Ind. 168, 1272, 1378, 1700, 1795
v. Oakes, 11 Ill. App. 489, 1450
v. Priest, 131 Ind. 413, 412, 497, 936, 945
v. Rooker, 13 Ind. App. 600, 1193
v. Rosenberg, 31 Ill. App. 47, 1406, 1555, 1727
v. St. Mary's 14 Ohio C. C. 202, 1114a
v. Scott, 132 Ill. 429, 978, 995, 1086
v. Shelley, 163 Ind. 36, 1097, 1102
v. Stick, 143 Ind. 449, 1165, 1166, 1702, 1703

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lake Erie, &c., R. Co. v. Town of Boswell, 137 Ind. 336, 425, 966, 1104
v. Walters, 9 Ind. App. 684, 788, 789, 791
v. Wilson, 189 Ill. 89, 1312
v. Wiltham, 155 Ill. 514, 2, 947
v. Young, 135 Ind. 426, 629, 632
v. Ziebarth, 6 Ind. App. 288, 938
Lake Manawa R. R. Co. v. Squire (Iowa), 57 N. W. 307, 119
Lake Merced Water Co. v. Cowles, 31 Cal. 215, 927
Lake Ontario, &c., R. R. Co. v. Curtiss, 80 N. Y. 219, 102, 112
v. Mason, 16 N. Y. 451, 102, 106, 107, 109, 133, 142, 153, 176
Lake Roland, &c., R. Co. v. McKewen, 80 Md. 593, 1095, 1096cq
v. Mayor, 77 Md. 352, 1077, 1079, 1096l
v. Webster, 81 Md. 529, 1086
Lake Shore, &c., Co. v. Dunkirk, 65 Hun, 494, 789, 790
v. Dunkirk, 20 N. Y. Supp. 596, 789
Lake Shore, &c., R. Co. v. Andrews, 58 Ohio St. 426, 1689f
v. Andrews, 14 O. C. C. 564, 1795
v. Baltimore, &c., R. Co., 149 Ill. 272, 923, 929, 930, 1035a, 1056
v. Barnes, 76 N. E. 629, 1160
v. Bennett, 89 Ind. 457, 1459, 1511, 1693
v. Bodemer, 139 Ill. 596, 1257
v. Boyts, 16 Ind. App. 640, 1174
v. Brazzill, 2 Ohio Dec. 691, 1269
v. Brown, 123 Ill. 162, 1582, 1606, 1632, 1643, 1645
v. Chicago, &c., R. Co., 97 Ill. 506, 31, 964, 966, 1108, 1116, 1119, 1120, 1121, 1126
v. Chicago, &c., R. Co., 100 Ill. 21, 964, 966, 995, 1119, 1127
v. Chicago, &c., R. Co., 96 Ill. 125, 1100
v. Cincinnati, &c., R. Co., 30 Ohio St. 604, 393, 668, 922, 966, 994, 996, 1103, 1114, 1116, 1122, 1126, 1127, 1128
v. Cincinnati, &c., R. Co., 116 Ind. 578, 632, 933, 974, 1027, 1028, 1116, 1117, 1119
v. Clark, 41 Ill. App. 343, 1259
v. Clemens, 5 Ill. App. 77, 1169
v. Davis, 16 Ill. 425, 1503, 1728
v. Ehlert, 63 Ohio St. 320, 1171
v. Ehlert, 19 Ohio C. C. 177, 11791
v. Ellsley, 85 Pa. St. 283, 1572
v. Foster, 104 Ind. 293, 213, 303, 1404, 1651, 1702
v. Frantz, 127 Pa. St. 297, 1157, 1166, 1171
v. Geiger, 8 Ohio C. C. 41, 1168
v. Grand Rapids, 102 Mich. 374, 747, 790
v. Hodapp, 83 Pa. St. 22, 1422, 1490, 1535
Lake Shore, &c., Co. v. Hundt, 41 Ill. App. 220, 1827
v. Hundt, 140 Ill. 525, 1300
v. Hunt, 39 Mich. 469, 621
v. Johnson, 135 Ill. 641, 1800
v. Kaste, 11 Ill. App. 536, 4
v. Kelsey, 180 Ill. 530, 1630a
v. Knittal, 33 Ohio St. 468, 1292
v. Kurtz, 10 Ind. App. 60, 1766
v. Lavalley, 36 Ohio St. 221, 1280
v. Lildtke, 69 Ohio St. 384, 1184
v. McCormick, 74 Ind. 440, 1272, 1277
v. McIntosh, 140 Ind. 261, 1174, 1176, 1178, 1850
v. Malcom, 12 Ind. App. 612, 1795
v. Miller, 25 Mich. 274, 1153, 1163, 1165, 1172, 1174, 1178, 1257, 1689h
v. Murphy, 50 Ohio St. 135, 1298a
v. National, &c., Bank, 178 Ill. 506, 1419, 1523, 1540
v. New York, &c., R. Co., 8 Fed. 858, 920, 964
v. O'Conner, 115 Ill. 254, 1269
v. Ohio, 173 U. S. 285, 2, 638, 1096o, 1182, 1627a
v. Ohio, 165 U. S. 365, 966, 1057c
v. Orndorff, 55 Ohio St. 589, 1637
v. Orvis, 1 Ohio Dec. 492, 1156, 1172
v. People, 46 Mich. 193, 806
v. Perkins, 25 Mich. 329, 1396, 1485, 1545
v. Peterson, 144 Ind. 214, 202, 1255, 1265, 1266
v. Pierce, 47 Mich. 277, 1576
v. Pinchin, 112 Ind. 592, 1169, 1643
v. Prentice, 147 U. S. 101, 1253, 1798, 1802,
v. Richards, 40 Ill. App. 560, 1062
v. Rosenzweig, 113 Pa. St. 519, 1231, 1576, 1578
v. Smith, 173 U. S. 684, 659, 665, 1593a, 1600, 1662d, 1670a, 1684c, 1684g
v. Spangler, 44 Ohio St. 471, 1378c, 1381
v. State, 173 U. S. 285, 668
v. Stupak, 123 Ind. 210, 213, 1697, 1768,
v. Stupak, 108 Ind. 1, 1292
v. Sunderland, 2 Bradw. (Ill.) 307, 1157, 1165
v. Teeters, 74 N. E. 1014, 1549, 1758a, 1808
v. Teeters, 166 Ind. 335, 1446, 1605, 1609, 1632
v. Terry, 14 O. C. C. 536, 1782
v. Ward, 135 Ill. 511, 1590, 1641, 1773, 1788
v. Warren, 3 Wyo. 134, 1660, 1662a
v. Wiley, 193 Pa. St. 496, 1092
v. Wilson, 11 Ind. App. 488, 1297
Lake St. Elev. R. Co. v. Chicago, 183 Ill. 75, 787a
v. Gormley, 108 Ill. App. 59, 1819
v. Zeigler, 99 Fed. 114, 110, 535, 536
Lake Superior Iron Works v. Drexel, 90 N. Y. 87, 91, 111
Lake Superior, &c., Co. v. Cunningham, 44 Fed. 587, 801
Lake Superior, &c., R. Co. v. Cunningham, 155 U. S. 354, 795
v. Finan, 155 U. S. 385, 795
v. Greve, 17 Minn. 322, 995
v. United States, 93 U. S. 442, 1, 4, 5, 33, 811

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lake Superior, &c., R. Co. v. United States, 12 Ct. of Claims, 35, 4
Lake View v. Rose Hill Cemetery, 70 Ill. 191, 664
v. Tate, 130 Ill. 247, 1082
Lakeman v. Grinnell, 5 Bosw. (N. Y.) 625, 1738
Lakin v. Willamette, &c., R. Co., 13 Ore. 436, 468, 473, 477, 1063
La Kroma, The, 138 Fed. 936, 1420
Lallande v. His Creditors, 42 La. Ann. 705, 1506
Lally v. Cantwell, 40 Mo. App. 44, 1801
La Londe v. Traction Co. (Mich.) 108 N. W. 365, 1096br
Lalor v. Chicago, &c., R. Co., 52 Ill. 401, 1317
Lamaqua, &c., Co. v. Inter. Co. St. R. Co., 167 Pa. St. 91, 10961
Lamar v. Micou, 112 U. S. 452, 94
Lamar Ins. Co. v. Gulick, 102 Ill. 41, 182
Lamar Mfg. Co. v. St. Louis, &c., Co., 117 Mo. App. 453, 1718
Lamb v. Anderson, 54 Ia. 190, 851a, 856, 872
v. Burlington, &c., R. Co., 39 Iowa, 333, 897
v. Camden, &c., R. Co., 46 N. Y. 271, 1435, 146, 1457, 1508, 1664
v. Camden, &c., Transp. Co., 2 Daly (N. Y.) 454, 1457, 1517
v. Cecil, 25 W. Va. 288, 602
v. Chicago, &c., R. Co., 118 Mo. App. 448, 1643
v. St. Louis, &c., R. Co., 33 Mo. App. 489, 1096cb
v. Stone, 11 Pick. (Mass.) 527, 625
v. Western R. Corp. 89 Mass. 98, 1711
Lamberson v. Long, 66 Mo. App. 263, 1774
Lambert v. Robinson, 1 Esp. 119, 1570
Lambeth v. North Carolina R. Co., 66 N. Car. 494, 1628, 1643
Lamkins v. Vicksburg, &c., R. Co., 42 La. Ann. 997, 1701
Lamm v. Chicago, &c., R. Co., 45 Minn. 71, 949, 1087
Lamoille, &c., R. Co. v. Fairfield, 51 Vt. 237, 831, 844, 918
Lamont v. Nashville, &c., R. Co., 9 Heisk. 580, 1457a, 1463
LaMont v. St. Louis, &c., R. Co., 62 Iowa, 193, 1036
LaMontague v. T. W. Harvey Lumber Co., 44 Fed. 645, 648
LaMothe, &c., Co. v. National Tube Works, 15 Blatchf. (U. S. C. C.) 432, 656
LaMotte v. Angell, 11 Hawaiian Rep. 136, 1558
Lamphear v. Buckingham, 33 Conn. 237, 573, 1361
Lampkins v. Vicksburg, &c., R. Co., 42 La. Ann. 997, 1789
Lampley v. Atlantic Coast Line R. Co., 71 S. Car. 156, 1057d
v. Atlantic Coast Line R. Co., 63 S. Car. 462, 1057g
Lamson v. American Axe, &c., Co., 177 Mass. 144, 1304
v. Grand Trunk R. Co., 1 Int. Com. Rep. 369, 1676
Lamville, &c., Co. v. Fairfield, 51 Vt. 257, 814
Lanark v. Dougherty, 153 Ill. 163, 1699
Lancashire Ins. Co. v. Corbetts, 165 Ill. 592, 624
Lancashire, &c., R. Co. v. Gidlow, L. R. 7 H. L. Cas. 517, 1564, 1566, 1678
Lancaster v. Amsterdam, &c., Co., 140 N. C. 576, 398
v. Asheville St. R. Co., 90 Fed. 129, 553
Lancaster County v. Cheraw, &c., R. Co., 28 S. Car. 134, 117, 372
v. Chicago, &c., R. Co., 29 Neb. 412, 1102
Lancaster, &c., Co. v. Northwestern, &c., Co., 2 K. & J. 293, 366
Lancaster Mills v. Merchants', &c., Co., 89 Tenn. 1, 1404, 1463, 1508, 1509
Lance v. Chicago, &c., R. Co., 57 Iowa, 636, 994, 995, 996, 1053
Lancer v. Anchor Line, 155 Fed. 1688b
Lancey v. Bryant, 30 Me. 466, 268
Lancy v. Boston, 185 Mass. 219, 1101
Land v. Coffman, 50 Me. 243, 393
v. Wilmington, &c., R. Co., 107 N. Car. 72, 1048
v. Wilmington & W. R. Co., 104 N. Car. 48, 1411
Land Co. v. Case, 104 Mo. 572, 11
Land Credit Co., In re, L. R. 4 Ch. 460, 485
Land Credit Co. v. Fermoy, L. R. 5 Ch. 763, 281
v. Lord Fermoy, L. R. 8 Eq. 7, 279
Land Grant Ry. Co. v. Commissioners of Coffey Co., 6 Kan. 245, 27, 190
Land Grant, &c., Co. v. Davis County, 6 Kan. 256, 832, 863, 874
Landa v. Holck, 129 Mo. 663, 626, 1538, 1539
v. Lattin Bros. 19 Tex. Civ. App. 246, 1429a
Landes v. Brant, 10 How. 348, 810
Landford v. Dunkin, 71 Ala. 594, 865
Landis v. Sea Isle, &c., Co., (N. J.) 31 Atl. R. 755, 165, 275
v. Western Pa. R. R. Co., 133 Pa. St. 579, 483, 534
Landman v. Entwistle, 7 Ex. 632, 13
Lando v. Chicago, &c., R. Co., 81 Minn. 279, 1253, 1257
Landowners, &c., Co. v. Ashford, 16 Ch. Div. 411, 491
Landquist v. Duluth St. R. Co., 65 Minn. 387, 1334, 1338
Landreaux v. Bell, 5 La. (O. S.) 434, 1638
Landrigan v. State, 31 Ark. 50, 200, 1678
Landwerlen v. Wheeler, 106 Ind. 523, 105
Lane v. Atlantic Works, 111 Mass. 136, 711, 1333b
v. Boston & A. R. Co., 112 Mass. 455, 1420, 1463, 1695, 1711
v. Brainerd, 30 Conn. 565, 103, 115, 164, 262
v. Cotton, 1 Ld. Raym. 646, 1466, 1691
v. East Tenn., &c., R. Co., 5 Lea (Tenn.), 124, 1603
v. Embden, 72 Me. 354, 897
v. Harris, 16 Ga. 217, 188
v. Jackson, 5 Mass. 157, 1543
v. Kansas City, &c., R. Co., 95 S. W. 460, 1214
v. Newdigate, 10 Ves. 192, 636
v. Old Colony, &c., R. Co., 14 Gray (Mass.), 143, 1572

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lane v. Schomp, 20 N. J. Eq. 82, 259, 903
v. Spokane Falls R. Co., 21 Wash. 119, 1633, 1699
Lane County v. Oregon, 7 Wall. 71, 779, 1688
Lang v. Brady, 73 Conn. 707, 1713
v. Holiday, &c., R. Co., 49 Iowa, 469, 1114, 1157
v. New York, &c., R. Co., 51 Hun (N. Y.), 603, 1822, 1825
v. Pennsylvania R. Co., 154 Pa. St. 342, 1459, 1513
Langan v. Francklyn, 20 N. Y. Supp. 404, 327
v. Francklyn, 29 Abb. (N. Y.) N. Cas. 102, 348
v. Great Western, &c., Co., 30 L. T. (N. S.) 173, 213, 222, 296
v. Iowa, &c., Construction Co., 49 Iowa, 317, 190
v. St. Louis, &c., R. Co., 72 Mo. 392, 1256
Langborne v. Richmond R. Co., 91 Va. 369, 329
Langdon v. Branch, 37 Fed. 449, 385
v. Hillside, &c., Co., 41 Fed. 609, 237, 634
v. Howells, L. R. 4 Q. B. Div. 337, 1599
v. Mayor, &c., of New York, 93 N. Y. 129, 977
v. Vermont, &c., R. Co., 54 Vt. 593, 580
v. Vermont, &c., R. Co., 53 Vt. 228, 590, 596
Lange v. Missouri Pac. R. Co., 115 Mo. App. 582, 1260, 1261, 1849
Langenberg v. Decker, 131 Ind. 471, 675, 736a
Langford v. County Commissioners, 16 Minn. 375, 1010, 1012, 1015, 1019, 1047
v. Sanger, 40 Mo. 161, 1706
Langhoff v. Milwaukee, &c., R. Co., 19 Wis. 489, 1168
Langhorn, &c., Co. v. Wiley, 91 S. W. 255, 1278a
Langhorne v. Richmond City R. Co. (Va.) 19 S. E. 122, 51, 338, 617
v. Richmond R. Co., 91 Va. 369, 329, 334
v. Robinson, 20 Gratt. 661, 825, 846
Langley v. Railroad Co., 10 Gray, 103, 451
Langlois v. Buffalo, &c., R. Co., 19 Barb. 364, 1192, 1270
Langsdale v. Bonton, 12 Ind. 467, 195, 267
Langstaff v. Stix, 64 Miss. 171, 1539, 1542, 1543
Langston v. South Carolina R. R. Co., 2 S. Car. 248, 486, 487
Languist v. Chicago, 200 Ill. 69, 1053
Langworthy v. Township of Green, 95 Mich. 93, 1699
Lanier v. Gayoso, &c., Inst., 9 Heisk. (Tenn.) 506, 569
v. McIntosh, 117 Mo. 508, 514
Lanigan v. New York, &c., R. Co., 71 N. Y. 29, 1703
Laning v. New York, &c., R. Co., 49 N. Y. 521, 1284, 1292, 1295, 1307
Lankershim Ranch Land & W. Co. v. Herberger, 82 Cal. 600, 99
Lanning v. Chicago, &c., R. Co., 196 Mo. 647, 656a
v. Chicago B. & Q. R. Co., 68 Iowa, 502, 1244
Lansdale v. Daniels, 100 U. S. 113, 1029
Lansing v. Caswell, 4 Paige, 519, 926
v. County Treasurer, 1 Dill. 522, 918, 926
v. Smith, 8 Cow. (N. Y.) 151, 995
v. Truesdale (Minn.), 62 N. W. 546, 1290
Lanterman v. Blairstown R. Co., 28 N. J. Eq. 1, 1049
Lantz v. St. Louis, &c., R. Co., 54 Mo. 228, 1214
LaPaul v. Truesdale, 44 Minn. 275, 1195
LaPierre v. Chicago, &c., R. Co., 99 Mich. 212, 1268, 1274, 1288
Lapine v. New Orleans, &c., R. Co., 20 La. Ann. 158, 1206, 1218
Lapointe v. Middlesex R. Co., 144 Mass. 18, 1630, 1633
La Pointe v. Railroad, 182 Mass. 227, 1628
La Pontney v. Shedden Cartage Co., 116 Mich. 514, 1315h
Laporte v. Cook, 20 R. I. 261, 1689c, 1768
v. Wells, Fargo & Co.'s Express, 23 App. Div. 267, 1711
Lapsley v. Union Pac. R. Co., 50 Fed. 172, 1114, 1156, 1174
Larabee v. New York, &c., R. Co., 182 Mass. 348, 1296b
Larabee Flour Mills Co. v. Missouri Pac. R. Co., 88 Pac. 72, 640, 1568, 1673
Laramie County v. Albany County, 92 U. S. 307, 837
Laredo Imp. Co. v. Stevenson, 66 Fed. 633, 112, 155
Larimer, &c., R. Co. v. Larimer R. Co., 137 Pa. St. 533, 1081, 1096l
Larimore v. Chicago, &c., R. Co., 65 Mo. App. 167, 1443a
Larkin v. Burlington, &c., R. Co., 85 Ia. 492, 1082, 1174
v. Chicago, &c., R. Co., 118 Ia. 652, 1831
v. New York, &c., R. Co. (Mass.) 44 N. E. 122, 1345
v. Oregon, &c., R. Co., 15 Ore. 220, 1638
Larned v. Beal, 65 N. H. 184, 190
Larney v. New York, &c., R. Co., 62 App. Div. (N. Y.) 311, 1049a
Larow v. New York, &c., R. Co., 61 Hun, 11, 1280
Larrabee v. Baldwin, 35 Cal. 155, 186
Larrison v. Chicago, &c., R. Co., 1 Interstate Com. 369, 1593
v. Chicago, &c., R. Co., 1 Interstate Com. 147, 1593, 1600, 1687
Larsen v. Oregon R., &c., Co., 19 Ore. 240, 796
Larson v. Chase, 47 Minn. 307, 1577b
v. Cox, 39 Kan. 631, 654
v. Illinois Cent. R. Co., 91 Ia. 81, 1342, 1344, 1355
v. Metropolitan St. Ry. Co., 33 Am. St. 439, 977
v. Metropolitan, &c., R. Co., 110 Mo. 234, 1057, 1057b
v. St. Paul, &c., R. Co., 43 Minn. 423, 1269, 1289, 1298, 1689f, 1689g

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Larve v. Northampton St. R. Co., 189 Mass. 254, 1096d
LaRue v. St. Anthony, &c., Co., 3 S. Dak. 637, 218
Lary v. Cleveland, &c., R. Co., 78 Ind. 323, 466, 1251, 1253
Lasky v. Canadian, &c., R. Co., 83 Me. 461, 1314, 1321, 1322
La Societe Francaise d' Epargnes, &c., v. Dist. Court, 53 Cal. 495, 540
Lassaler v. Southwestern, The, 2 Woods (U. S.), 35, 1541
Latch v. Rumner R. Co., 27 L. J. Ex. 155, 1636
Late v. Bates, 118 N. C. 287, 282
Latham v. Chafee, 7 Fed. 525, 558
v. Rutley, 2 Barn. & C. 20, 1694
Lathrop v. Commercial Bank, 8 Dana, 114, 398
v. Knapp, 37 Wis. 307, 568, 569
v. Knapp, 27 Wis. 215, 568
v. Middleton, 23 Cal. 257, 520
v. Tracy, 24 Colo. 382, 529
Lathrop, &c., Co. v. Interior Const. Co., 150 Fed. 666, 656a
Latimer v. Aylesbury, &c., Ry. Co., L. R. 9 Ch. Div. 385, 540
v. Richmond, &c., R. Co., 39 S. C. 44, 165, 166, 376, 439, 442
v. Union Pacific R. Co., 43 Mo. 105, 621
Latremouille v. Bennington, &c., R. Co., 63 Vt. 336, 1292
Latty v. Burlington, &c., R. Co., 38 Iowa, 250, 1193, 1204
Laub v. Railway Co., 118 Mo. App. 488, 1592
Laubheim v. De Koninglyke, N. S. Co., 107 N. Y. 228, 222, 223, 1388
Laude v. Chicago, &c., R. Co., 33 Wis. 640, 1190, 1200
Lauderbrun v. Duffy, 2 Pa. St. 398, 960
Laufer v. Bridgeport Trac. Co., 68 Conn. 475, 1096ci, 1790
Laughlin v. Chicago, &c., R. Co., 28 Wis. 204, 1450
v. Santa Fe, 3 N. Mex. 264, 751
Laughter v. Pointer, 5 B. & C. 547, 1444
Lauman v. Lebanon Valley R. Co., 30 Pa. St. 42, 16, 67, 322a, 325, 325a, 327, 328, 608
v. Young, 31 Pa. St. 306, 1058, 1059, 1062
Launtz v. People, 113 Ill. 137, 161
Laurel Cotton Mills v. Gulf, &c., R. Co., 84 Miss. 339, 1565
Laussig v. St. Louis, &c., R. Co., 186 Mo. 269, 347
Lavelle v. St. Paul, &c., R. Co., 43 Minn. 222, 1344
Lavis v. Wisconsin, &c., R. Co., 54 Ill. App. 636, 1633
Law v. Chicago Sanitary Dist., 197 Ill. 523, 1003b
v. Hatcher, 4 Blkf. 364, 1692
v. Illinois, &c., R. Co., 32 Iowa, 534, 200
Lawler v. Androscoggin, &c., R. Co., 62 Me. 463, 1284, 1316, 1329
v. Hartford St. R. Co., 72 Conn. 74, 1096br, 1096cb, 1096ce
v. Walker, 18 Ohio, 151, 341
Lawless v. Connecticut, &c., R. Co., 136 Mass. 1, 1296, 1347
Lawrence's Appeal, 78 Pa. St. 365, 1001
Lawrence County's Appeal, 67 Pa. St. 87, 873
Lawrence v. Aberdein, 5 B. & Ald. 107, 1546
v. Boston, 119 Mass. 126, 1025
v. Fox, 20 N. Y. 268, 412
v. Great Northern R. Co., 16 Q. B. 643, 977, 1005, 1057
v. Greenwich, &c., Co., 1 Paige, 587, 248, 539, 547
v. Ingersoll, 88 Tenn. 52, 161, 260
v. McGregor, Wright (Ohio), 193, 1423, 1424
v. Milwaukee, &c., R. Co., 42 Wis. 322, 1214
v. Minturn, 17 How. (U. S.) 100, 1426, 1430, 1523, 1692
v. Morgan's Louisiana, &c., Co., 39 La. Ann. 427, 67, 525, 531, 953, 958, 960
v. Morgans, &c., R. Co., 121 U. S. 634, 646
v. Nahant, 136 Mass. 477, 1001
v. New York, &c., R. Co., 36 Conn. 63, 1417, 1501, 1502, 1510
v. Pullman, &c., Co., 144 Mass. 1, 1614, 1616, 1619
v. Smith, 57 Iowa, 701, 117
v. Winona & St. P. Ry. Co., 15 Minn. 390, 1409
Lawrence Co. v. Northwestern R. Co., 32 Pa. St. 144, 873
Lawrence Iron Works v. Rockbridge Co., 47 Fed. 755, 543, 544
Lawrence R. Co. v. Cobb, 35 Ohio St. 94, 1007, 1049e, 1824
v. Williams, 35 Ohio St. 168, 1087
Lawrence Steamboat Co., In re, 44 N. J. 529, 241
Lawrence, &c., R. Co. v. Moore, 24 Kan. 323, 1046a
Lawrenceburgh, &c., Co. v. Montgomery, 7 Ind. 474, 1393
Lawrenceburgh, &c., R. Co. v. Smith, 3 Ind. 253, 1053
Lawshe v. Tacoma R., &c., Co., 29 Wash. 681, 1096da
Lawson v. Beard, 94 Fed. 30, 226
v. Black Diamond, &c., Co., (Wash.) 86 Pac. 1120, 237
v. Chicago, &c., R. Co., 64 Wis. 447, 1498, 1608, 1632
v. Illinois Cent. R. Co., 116 Mo. App. 690, 1181
v. Illinois So. R. Co., 94 S. W. 807, 1208
v. Metropolitan St. R. Co., 74 N. Y. 885, 1096cj
v. Milwaukee, &c., R. Co., 30 Wis. 597, 859
v. Seattle, &c., R. Co., 34 Wash. 500, 1820, 1832
v. Schnellen, 33 Wis. 288, 857, 893
v. Truesdale, 60 Minn. 410, 1301a, 1315d
Lawton v. Blitch, 30 Fed. 641, 655
v. Case, 73 Ind. 60, 1068
v. Steele, 152 U. S. 133, 664
Lax v. Forty-second St., &c., Ry. Co., 46 N. Y. Superior Ct. 448, 6
Lazar v. New York, &c., R. Co., 94 N. Y. S. 9, 1096br
Lazard v. Merchant, &c., Co., 78 Md. 1, 1415, 1419, 1428
Lea v. Johnston, 9 Ired. (N. C.) Law, 15, 955
v. Polk County Copper Co., 21 How. 493, 806, 809
Leach v. Cargill, 60 Mo. 316, 783

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Leach v. Comrs. of Fayetteville, 84 N. C. 829, 918
v. Milwaukee Elec. R. Co., 108 Wis. 593, 1096cl
v. New York, &c., Co., 89 Hun, 377, 1482
v. Oregon Short Line R. Co., 27 Utah, 285, 1269, 1271a, 1301a, 1689i
v. People, 122 Ill. 420, 246
v. South Eastern R. Co., 34 L. T. R. 166, 1653
Leader v. Northern R. Co., 3 Ont. 92, 1521
Leahey v. Cass Ave., &c., R. Co., 97 Mo. 165, 1689l
Learoyd v. Godfrey, 138 Mass. 116, 1248
Leary v. Boston, &c., R. Co., 139 Mass. 580, 1269, 1304, 1312
v. Brockton St. R. Co., 177 Mass. 187, 1096cb
Lease v. Pennsylvania Co., 10 Ind. App. 47, 1382, 1383, 1384
Leask v. Scott, 2 Q. B. Div. 376, 1541
Leather Manufacturers' Nat. Bank v. Cooper, 120 U. S. 778, 652
Leathers v. Janney, 41 La. Ann. 1120, 291
Leavell v. Western Union Tel. Co., 116 N. Car. 211, 1671
Leavenworth v. Barnes, 94 U. S. 70, 898
v. Chicago, &c., R. Co., 25 Fed. 219, 322, 323, 326, 529
v. Meyer, 50 Kan. 25, 1034
v. Norton, 1 Kan. 432, 782
Leavenworth County v. Chicago, R. I. & P. R. Co., 134 U. S. 688, 326, 509
v. Miller, 7 Kan. 479, 1, 814, 818, 831
Leavenworth Light, &c., Co. v. Waller, 65 Kan. 514, 1771
Leavenworth R. Co. v. County Court, 42 Mo. 171, 259, 815
Leavenworth, &c., R. Co. v. Cook, 18 Kan. 261, 1221
v. Commissioners, 18 Kan. 169, 875, 897, 903
v. Forbes, 37 Kan. 445, 1209
v. Maris, 16 Kan. 333, 1464, 1651, 1652
v. Meyer, 50 Kan. 25, 1041
v. Paul, 28 Kan. 816, 996
v. Rice, 10 Kan. 426, 1801
v. United States, 92 U. S. 733, 793, 798, 808, 1096z
v. Whitaker, 42 Kan. 634, 1033, 1051
Leavitt v. Canadian Pac. R. Co., 90 Me. 153, 1234
v. Eastman, 77 Me. 117, 1019, 1020
v. Fisher, 4 Duer (N. Y.) 1, 78
v. Oxford, &c., Co., 3 Utah 265, 236, 262, 263
v. Pell, 27 Barb. (N. Y.) 322, 110
v. Terre Haute, &c., R. Co., 5 Ind. App. 513, 1159, 1264, 1310
Leazure v. Hillegas, 7 Sergt. & R. 313, 392, 397
Le Bahn v. New York, &c., R. Co., 80 Hun. 116, 1314
Lebanon v. McCoy, 12 Ind. App. 500, 1304
v. Olcott, 1 N. H. 339, 953
Lebanon Savings Bank v. Hollenbeck, 29 Minn. 322, 226
Lebanon School Dist. v. Lebanon, &c., Seminary (Pa.), 12 Atl. 857, 983
Lebanon, &c., Co. v. Adair, 85 Ind. 244, 247
Le Barron v. East Boston Ferry Co., 11 Allen (Mass.) 312 1588, 1644, 1696
Lebbering v. Struthers, 157 Pa. St. 312, 1283, 1318
Lebeau v. General, &c., Co., L. R. 8 C. P. 88, 1420, 1421
v. General, &c., Co., 42 L. J. C. P. 88, 1424
Lebensberger v. Scofield, 139 Fed. 380, 656a
Leber v. Minneapolis, &c., R. Co., 29 Minn. 256, 1049, 1063
LeBlanc, In re, 14 Hun, 8, 309
Le Blanc, In re, 75 N. Y. 598, 306
Le Blanc v. Illinois Cent. R. Co., 72 Miss. 669, 948
Le Blanche v. Railway Co., 1 C. P. Div. 286, 1627a
Le Clair v. Davenport, 13 Ia. 210 1096t
v. First Div., &c., R. Co., 20 Minn. 9, 1295, 1296
Lecoul v. Police Jury, 20 La. Ann. 308, 970
Le Conteur v. London, &c., R. Co., 1 Q. B. 54, 1654
Lecroy v. New York, &c., R. Co., 10 N. Y. Supp. 382, 1294
v. New York, &c., R. Co., 132 N. Y. 570, 1280
Leddel v. Starr, 19 N. J. Eq. 159, 551
Lederman v. Pennsylvania R. Co., 165 Pa. St. 118, 1177
LeDuc v. New York Cent., &c., R. Co., 92 App. Div. N. Y. 107 1248
Leduc v. Northern Pac. R. Co., 92 Minn. 287, 1282
Lee, The R. E., 2 Abb. (U. S.) 49 1654
Lee v. Atlantic, &c., R. Co., 150 Fed. 775, 335
v. Briggs, 90 Mich. 487, 1062
v. Brooklyn Heights R. Co., 97 App. Div. N. Y. 111, 1193
v. Imbrie, 11 Pac. 270, 116
v. Figg, 37 Cal. 335, 1689c
v. Kimball, 45 Me. 172, 1540
v. King, 99 Ala. 246, 1068
v. Market St. R. Co., 135 Cal. 293, 1096cq
v. Michigan Cent. R. Co., 87 Mich. 574, 213, 1292
v. Minneapolis, &c., R. Co., 66 Iowa 131, 1184, 1190
v. Missouri Pac. R. Co., 195 Mo. 400, 1796
v. Neuchatel, &c., Co., 58 L. T. 553, 317
v. North Western U. R. Co. 33 Wis. 222, 1033, 1053
v. Northern Pac. R. Co., 39 Wash. 388, 1304
v. Pembroke Iron Co., 57 Me. 481, 976, 977
v. Pittsburgh, &c., Co., 56 How. Pr. 373, 286
v. Raleigh R. Co., 72 N. Car. 236, 1545, 1550
v. St. Louis, &c., R. Co., 112 Mo. App. 372, 1288
v. Southern Pac. R. Co., 116 Cal. 97, 468, 472, 473, 1766
v. Sturges, 46 Ohio St. 153, 28
v. Summers, 2 Ore. 260, 796
v. Tillotson, 24 Wend. 337, 1008
v. Union R. Co., 12 R. I. 383, 1094, 1096ch

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lee & Co. v. St. Louis, &c., R. Co., 136 N. Car. 533, 1730
Lee & Co.'s Bank, Matter of, 21 N. Y. 9, 60
Leebrick v. Republican, &c., R. Co., 41 Kan. 756, 1184
Leech v. Baldwin, 5 Watts (Pa.) 446, 1558, 1709
Leedom v. Plymouth, &c., Co., 5 Watts & S. 265, 72, 520
Leeds v. Camden, &c., R. Co., 53 N. J. L. 229, 984
v. Richmond, 102 Ind. 372, 955
Leeds, &c., Co., Re, 1 L. R. Ch. App. 561, 258
Leep v. St. Louis, &c., R. Co., 58 Ark. 407, 665
Lees v. Lancashire, &c., R. Co., 1 Nev. & Mac. 352, 1678
Leese v. Atchison, &c., R. Co., 24 Neb. 143, 38
Leezotte v. Boston, &c., R. Co., 70 N. H. 545, 1339
Lefferts v. Board, 21 Wis. 697, 751
LeForest v. Tolman, 117 Mass. 109, 1364
Legal Tender Cases, 12 Wall. 457, 738
Legal Tender Cases, 110 U. S. 421, 837, 1663
Legard v. Hodges, 1 Ves. Jr. 477, 502
Legendre v. New Orleans, &c., Assn., 45 La. Ann. 669, 172
Legg v. Britton, 64 Vt. 652, 1361a, 1375, 1376
v. Mathieson, 2 Giff. 71, 496
Leggett v. Bank, 24 N. Y. 283, 99
v. New Jersey, &c., Co., 1 N. J. Eq. 451, 283, 411
v. New Jersey Mfg. Co., (1 Saxt. Ch.) 23, 410
Leggett, &c., Co. v. Collier, 89 Iowa 144, 1413
Leggott v. Great Northern R. Co., 2 Best & S. 759, 1375
v. Great Northern, &c., R. Co., L. R. 1 Q. B. D. 599, 1375
Legrand v. Hempden, &c., College, 5 Munf. (Va.) 324, 410
Lehew v. Brummell, 103 Mo. 546, 1665
Lehigh v. Mobile, &c., R. Co., 58 Ala. 165, 1572
Lehigh Bridge Co. v. Lehigh Coal Co., 4 Rawle (Pa.) 9, 21, 616
Lehigh Coal Co. v. Central R. Co., 34 N. J. Eq. 88, 531a
Lehigh Coal, &c., Co. v. Central R. Co. of N. J., 35 N. J. Eq. 426, 566, 567
v. Central R. Co., 42 N. J. Eq. 591, 577
v. Central R. R. Co., 29 N. J. Eq. 522, 605
Lehigh Min. Co. v. Kelly, 170 U. S. 327, 621
Lehigh Valley R. Co. v. Dover, &c., R. Co., 43 N. J. L. 528, 975
v. Pennsylvania, 145 U. S. 192, 780, 1671
v. Snyder, 56 N. J. L. 326, 1280, 1795
Lehigh Water Co. v. Easton, 121 U. S. 388, 1096s
Lehigh, &c., Co. v. Central R. Co., 35 N. J. Eq. 379, 498, 958
v. Central R., of N. J., 43 Hun 546, 548
v. Central, &c., R. Co., 35 N. J. Eq. 349, 563
Lehigh, &c., Co. v. Easton, 121 U. S. 388, 39
v. Hayes, 128 Pa. St. 294, 1274
v. Inter County St. R. Co., 167 Pa. St. 126, 1092
Lehigh, &c., Coal Co. v. Chicago, 26 Fed. 415, 1039
v. Lear (Pa.), 9 Atl. 267, 1162
Lehigh, &c., R. Co. v. Brandtmaier, 113 Pa. St. 610, 1153
v. Dover, &c., R. Co., 43 N. J. L. 528, 966
v. Dupont, 128 Fed. 840, 1589, 1839
v. Greiner, 113 Pa. St. 600, 1314
v. Hall, 61 Pa. St. 361, 1701
v. Lazarus, 28 Pa. St. 203, 996
v. McFarlan, 43 N. J. Law 605, 948
v. McKeen, 90 Pa. St. 122, 1231
v. Orange Water Co., 42 N. J. Eq. 205, 1099
v. Pennsylvania, 145 U. S. 192, 690, 764, 780, 1671
v. Snyder, 56 N. J. Law 326, 1314
v. Trone, 28 Pa. St. 206, 960
Lehiman v. Central R., &c., Co., 12 Fed. 595, 1429
Lehman v. Brooklyn, 29 Barb. 234, 1299
v. Central, &c., R. Co., 12 Fed. 596, 1429
v. Knapp (La.), 20 So. 674, 282
v. McQuown, 31 Fed. 138, 587
v. Warner, 61 Ala. 455, 19, 20
Lehman, &c., Co. v. Pritchett, 84 Ala. 512, 1457a
Lehmann v. Southern Pac. R. Co., 3 Interst. Com. 80, 1682
v. Texas, &c., R. Co., 2 Interst. Com. 548, 1686
v. Texas, &c., R. Co., 3 Interst. Com. 706, 1686
Lehmicke v. St. Paul, &c., Co., 19 Minn. 464, 1036, 1037, 1038
Lehner v. Metropolitan St. R. Co., 110 Mo. App. 215, 1096cv
Lehr v. Steinway, 118 N. Y. 556, 1585
Leidigh v. Philadelphia, &c., R. Co., 215 Pa. St. 342, 948
Leigh v. Garysburg Mfg. Co., 132 N. Car. 167, 960, 961a
v. Smith, 1 C. & P. 638, 1406, 1410, 1462
Leighty v. Susquehanna, &c., Co., 14 Serg. & R. (Pa.) 434, 106
Leiman v. Chicago, &c., R. Co., 82 Wis. 286, 1173
Leisse v. St. Louis, &c., R. Co., 2 Mo. App. 105, 930, 1031, 1033
Leistritz v. American, &c., Co., 154 Mass. 382, 1303
Leisy v. Hardin, 135 U. S. 100, 667, 1663, 1664, 1665, 1671
Leitch v. Union, &c., Co., Fed. Cas. No. 8224, 1503
v. Wells, 48 N. Y. 586, 882
Leitzel v. Harrisburg Trac. Co., 212 Pa. St. 608, 1096cl
Leland v. Chicago, &c., R. Co., 23 N. W. 390, 1711
v. Hayden, 102 Mass. 512, 307
Leloup v. Port of Mobile, 127 U. S. 640, 658, 755, 758, 762, 1671
Lemaitre v. Davis, 19 Ch. D. 281, 1064
Le Mars v. Iowa Falls, &c., R. Co., 48 Fed. 661, 650
Lemasters v. Southern Pac. Co., 131 Cal. 105, 1581a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LeMay v. Canadian, &c., R. Co., 17 Ont. App. 293, 1272a, 1344
v. Missouri, &c., R. Co., 105 Mo. 361, 1252
Lembeck v. Jarvis Terminal Co., 68 N. J. Eq. 492, 1429, 1572
Lemery v. Great Northern R. Co., 83 Minn. 47, 1641
Lemke v. Chicago, &c., R. Co., 39 Wis. 449, 1464, 1528
Lemmon v. Chicago, &c., R. Co., 32 Iowa 151, 1185
Lemon v. Chicago, &c., R. Co., 59 Mich. 618, 1200
v. Pullman, &c., R. Co., 52 Fed. 262, 1619, 1622
Lemont v. New York, &c., R. Co., 28 Fed. 920, 1537
v. Washington, &c., R. Co., 1 Mackey (D. C.) 180, 1637
Lenawee, &c., Bank v. City of Adrian, 66 Mich. 273, 742
Lenihan v. Hamann, 55 N. Y. 652, 511
Lennon, In re, 150 U. S. 393, 633
Lennon, Ex parte, 64 Fed. 320, 633, 652
Lennon v. Illinois Cent. R. Co., 127 Ia. 431, 1653
v. Mayor, 55 N. Y. 365, 1076
v. New York, &c., R. Co., 65 Hun 578, 1166, 1172
Lennox, The, 90 Fed. 308, 1516
Lennox v. Knox, &c., R. Co., 62 Me. 322, 1039
v. Notrebe, Hempst. (N. S.) 225, 540
v. United States Ins. Co., 3 Johns. Cas. 178, 1423
Lent v. New York, &c., R. Co., 120 N. Y. 467, 1589, 1628, 1630
v. Tillson, 140 U. S. 316, 771, 1019
v. Tillson, 72 Cal. 404, 952, 1020, 1021
Leo v. St. Paul, &c., R. Co., 30 Minn. 438, 1450
Leominster Canal Co. v. Shrewsbury, &c. R. Co., 3 K. & J. 654, 259
Leonard v. American Insurance Co., 97 Ind. 299, 350
v. Brooklyn Heights, &c., R. Co., 67 N. Y. S. 985, 1096bt
v. Brooklyn, &c., R. Co., 57 App. Div. 125, 1096cu, 1831
v. Chicago, &c., R. Co., 54 Mo. App. 293, 1482, 1512, 1555
v. Columbia, &c., R. Co., 84 N. Y. 48, 1366, 1373
v. Draper, 187 Mass. 536, 87
v. Fitchburgh R. Co., 143 Mass. 307, 1478, 1527, 1548, 1551
v. Hendrickson, 18 Pa. St. 40, 1457
v. Poole, 114 N. Y. 371, 92
v. Southern Pacific R. Co., 21 Ore. 555, 1700
v. Spencer, 108 N. Y. 338, 169
v. Tidd, 3 Metc. 6, 1466
v. Whitcomb, 95 Wis. 646, 1480
v. Winslow, 2 Grant (Pa.) 139, 1570
Leonhardt, &c., Co. v. Small Co., 96 S. W. 1057, 1429a
Leopard v. Chesapeake & Ohio Canal, 1 Gill (Md.) 222, 1096ai
Lepnick v. Gaddis, 26 L. R. A. 686, 1263
Le Roy v. East Saginaw Railroad Co., 18 Mich. 233, 746
Le Roy v. Globe Insurance Co., 2 Edw. Ch. (N. Y.) 657, 306, 309, 613, 634
v. Mayor, 20 Johns. 430, 782
Le Roy, &c., R. Co. v. Butts, 40 Kan. 159, 1036
v. Hawks, 39 Kan. 638, 1037
v. Ross, 40 Kan. 598, 1037
v. Sidell, 66 Fed. 27, 345
Le Sage v. Great Western R. Co., 1 Daly (N. Y.) 306, 1440
Lesan v. Maine Central R. Co., 77 Me. 85, 1153, 1157, 1163, 1313
Lesher v. Wabash Navigation Co., 14 Ill. 85, 959, 1063
Lesinsky v. Great Western Dispatch, 10 Mo. App. 134, 1432, 1443, 1443a, 1449
Leslie v. Lorillard, 110 N. Y. 536 440
Lessard v. Northern Pac. R. Co., 81 Wis. 189, 1697
Lesseps v. Architects Co., 4 La. Ann. 316, 149, 154
Lesser Cotton Co. v. St. Louis, &c., R. Co., 114 Fed. 133, 1224, 1243a
Lessieur v. Price, 12 How. 59, 810
Lester v. Delaware, &c., R. Co., 73 Hun (N. Y.) 398, 1536
v. Ft. Worth, &c., R. Co., 26 S. W. 166, 1030a
v. Georgia, &c., R. Co., 90 Ga. 802, 335
v. Houston, 101 N. Car. 605, 1061
v. Howard Bank, 33 Md. 558, 375
v. Webb, 1 Allen 34, 292, 492
Letheraw v. St. Joseph, &c., R. Co., 98 Mo. 74, 1177
Lett v. Morris, 4 Sim. 607, 502
Leuckhart v. Cooper, 3 Bing. N. C. 99, 1540, 1543a
Leverett v. Middle Georgia, &c., R. Co., 96 Ga. 385, 920, 929
v. Shreveport, &c., R. Co., 110 La. Ann. 399, 1096cy, 1641
Levering v. Philadelphia, &c., R. Co., 8 W. & S. (Pa.) 459, 1049, 1050
v. Union, &c., Co., 42 Mo. 88, 1454, 1478, 1481, 1502
v. New York Cent. & H. R. R. Co., 4. Misc. 415, 347
Levi v. Columbia, &c., Ins. Co., 1 Fed. 206, 553
v. Karrick, 13 Iowa 344, 565
v. Lynn, &c., R. Co., 11 Allen (Mass.) 300, 6, 1402, 1096bt, 1392
v. Thompson, 4 How. 17, 810
v. Worcester, &c., St. R. Co., 78 N. E. 853, 628
Levien v. Webb, 61 N. Y. S. 1113 1621a
Levin v. Memphis, &c., R. Co. (Ala.), 19 So. 395, 1251
v. Metropolitan St. R. Co., 140 Mo. 624, 1096ce
Levins v. New York, &c., R. Co., 183 Mass. 175, 1624, 1647
Levinson v. Texas, &c., R. Co., 17 Tex. Civ. App. 617, 1593
Leviston v. Junction R. Co., 7 Ind. 597, 1048
Levois v. Gale, 17 La. Ann. 302, 1421
Levy v. Louisville, &c., R. Co., 35 La. Ann. 615, 1440
Lewark v. Parkinson, 85 Pac. 601, 1820
Lewey's Island R. Co. v. Bolton, 48 Me. 451, 147, 148, 152, 153, 259

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lewin v. Pauli, 19 Pa. Super. Ct. 447, 1689g
Lewis, In re, 52 Kan. 660, 550
Lewis v. Albemarle, &c., R. Co., 95 N. C. 179, 224
v. American, &c., Co., 119 Fed. 391, 554
v. Baltimore, &c., R. Co., 38 Md. 588, 1152, 1169, 1261
v. Bourbon Co., 12 Kan. 186, 822
v. Chicago, &c., R. Co., 49 Fed. 708, 1058a, 1059
v. Clarendon, 5 Dill. 329, 886
v. Commissioners, 105 U. S. 739, 899
v. Fisher, 80 Md. 139, 605
v. Flint, &c., R. Co., 54 Mich. 55, 1584, 1696, 1799
v. Flint, &c., R. Co., 18 Am. & Eng. R. Cas. 263, 1823
v. Galena, &c., R. Co., 40 Ill. 281, 1536
v. Germantown, &c., R. R. Co., 16 Phila. (Pa.) 608, 41, 922, 958, 966, 967, 1098
v. Glenn, 84 Va. 947, 171, 496
v. Great Western, &c., Co., 5 H. & N. 867, 303, 1512
v. Great Western R. Co., L. R. 3 Q. B. Div. 195, 1495, 1505
v. Hartford Silk Mfg. Co., 56 Conn. 25, 492
v. John Crane & Sons, 78 Vt. 216, 1814
v. London, &c., R. Co., L. R. 9 Q. B. 66, 1628, 1628c, 1642a
v. Long Island R. Co., 162 N. Y. 52, 1096cl
v. Ludwick, 6 Colo. 368, 1454
v. New York, &c., R. Co., 162 N. Y. 202, 948a, 1091
v. New York, &c., R. Co., 143 Mass. 267, 1501, 1620, 1622, 1623, 1627
v. Pennsylvania R. Co., 33 Atl. 932, 1096
v. Pennsylvania R. Co., 70 N. J. L. 132, 1548a, 1553, 1555
v. Pima County, 155 U. S. 54, 816, 827
v. President, &c., 145 N. Y. 508, 1628
v. Puget Sound R. Co., 4 Wash. 188, 1168
v. St. Louis, &c., R. Co., 59 Mo. 495, 1268
v. St. Paul, &c., R. Co., 5 S. Dak. 148, 1010, 1014, 1041
v. Seifert, 116 Pa. St. 628, 200, 1280, 1281, 1322, 1328
v. Sharvey, 58 Minn. 464, 1543
v. Shreveport, 108 U. S. 282, 827, 831, 835
v. Shreveport, 3 Woods, 205, 831
v. Smith, 9 N. Y. 502, 512
v. Smith, 107 Mass. 334, 1716
v. Southern R. Co., 38 So. 1023, 1114
v. Tilton, 64 Iowa 220, 619
v. Vicksburg, &c., R. Co., 114 La. Ann. 161, 1315e
v. Western R. Co., 11 Metc. (Mass.) 509, 1519, 1531
v. Western, &c., R. Co., 93 Ga. 225, 1598
v. Wilmington, &c., R. Co., 11 Rich. L. (S. Car.) 91, 1025
Lewis Cook Mfg. Co. v. Randall, 62 Ia. 244, 14
Lewis, &c., Co. v. Thomas, (Ky.) 3 S. W. 907, 38
Lewiston v. Fairfield, 47 Me. 481, 1698
Lewke v. Dry Dock, &c., R. Co., 46 Hun (N. Y.) 283, 1689l
Lexington v. Butler, 14 Wall. (U. S.) 282, 486, 898
v. Headley, 5 Bush (Ky.) 508, 783
v. Long, 31 Mo. 369, 990, 992
v. McQuillan, 9 Dana (Ky.) 514, 781, 846, 878
Lexington, &c., Ins. Co. v. Page, 17 B. Mon. (Ky.) 412, 810, 315, 604
Lexington, &c., R. Co. v. Applegate, 8 Dana (Ky.) 289, 954, 1087
v. Bridges, 7 B. Mon. (Ky.) 556, 232, 318
v. Chandler, 13 Metc. (Mass.) 311, 17, 87, 141, 153
v. Cozine, 111 Ky. 799, 1802, 1823
v. Elwell, 8 Allen (Mass.), 371, 232
v. Fitchburg, &c., R. Co., 14 Gray (Mass.) 266, 974, 1084
v. McMurtry, 3 B. Mon. (Ky.) 516, 1025
v. O'Brien, 27 Ky. L. 336, 1823
v. Ormsby, 7 Dana 276, 629, 1008
v. Staples, 5 Gray (Mass.) 520 152
L'Herbette v. Pittsfield, &c., Bank, 162 Mass. 137, 452
Libby v. Ingalls, 124 Mass. 503, 1426, 1427, 1429a
v. Maine, &c., R. Co., 85 Me. 34, 1056, 1057d, 1455, 1585, 1586, 1696
v. Rennie, 31 N. J. Eq. 42, 517
v. Roerkrans, 55 Barb. (N. Y.) 202, 565
v. Scherman, 146 Ill. 540, 1768
v. Tobey, 82 Me. 397, 91, 110, 148, 185
Liberty, &c., Assn. v. Watkins, 70 Mo. 13, 187
License Tax Cases, 5 Wall, 462, 666
Lichtenstein v. Gillett, 37 La. Ann. 522, 555
Lickbarrow v. Mason, 2 T. R. 63, 1419, 1428, 1523, 1539, 1543, 1571
Liconie, &c., R. Co. v. Lang, 63 Me. 480, 111
Liddle v. Keokuk, &c., R. Co., 23 Iowa 378, 471, 1208
Liddy v. St. Louis, &c., R. Co., 40 Mo. 506, 711, 1096cb
Lieber v. Union Pac. R. Co., 49 Iowa 688, 627
Liebermann v. Chicago, &c., R. Co., 141 Ill. 140, 7, 955, 1047, 1096bg
v. Hoffman, 102 Pa. St. 590, 625
Liebke v. Knapp, 79 Mo. 22, 110
Liedel v. Northern Pac. R. Co., 89 Minn. 284, 946b, 1057a
Lierman v. Chicago, &c., R. Co., 82 Wis. 286, 1378a
Liezmerski v. Wilmington City R. Co., Del. 62 Atl. 1057, 1096af
Liefert v. Galveston, &c., R. Co., 57 S. W. 899, 1570, 1571
Life Assn. v. Fassett, 102 Ill. 315, 609

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ligare v. Chicago, 139 Ill. 46, 1077
Ligat v. Commonwealth, 19 Pa. St. 456, 930
Liggins v. Inge, 7 Bing. 682, 931
Light v. Chicago, &c., R. Co. (Iowa), 61 N. W. 380, 1314
Lightfoot v. Winnebago Trac. Co., 123 Wis. 479, 1174
Lighthall Mfg. Co., Matter of, 47 Hun (N. Y.) 258, 162, 193
Lightner v. Boston, &c., R. R. Co., 1 Lowell 338, 329, 606
v. Peoria, 150 Ill. 80, 787a, 1096al, 1096am
Liles v. Fosburg Lumber Co., 54 S. E. 795, 1334
Lillard v. Kentucky, &c., Co., 134 Fed. 168, 1798
v. Porter, 2 Head (Tenn.) 177, 170
Lilley v. Pittsburgh, &c., R. Co., 213 Pa. St. 247, 934a, 971
Lillis v. St. Louis, &c., R. Co., 64 Mo. 464, 1580, 1598, 1600
Lillstrom v. Northern Pac. R. Co. 53 Minn. 464, 1176
Lilly v. Charlotte, &c., R. Co., 32 S. Car. 142, 1359
Limberg v. Glenwood Lumber Co., 127 Cal. 598, 1288a
Limburger v. San Antonio, &c., St. R. Co. (Tex.), 30 S. W. 533, 8, 1088, 1089, 1096d
v. San Antonio, &c., St. R. Co., (Tex. Civ. App.) 27 S. W. 198, 1089
Limekiller v. Hannibal, &c., R. Co., 33 Kan. 83, 1372
Limerick & C. Turnp. Co.'s Appeal, 80 Pa. St. 425, 977
Liming v. Illinois Central R. Co., 81 Iowa 246, 1247
Limpus v. London General Omnibus Co., 1 H. & C. 526, 1265
Lin v. Terre Haute, &c., R. Co., 10 Mo. App. 125, 1658
Linch v. Louisville, &c., R. Co., 107 Ky. 370, 1374
Lincoln v. Colusa County, 28 Cal. 662, 1007, 1027
v. Iron Co., 103 U. S. 412, 859a, 900
v. Kansas City, &c., R. Co., 108 N. W. 140, 526
v. Lincoln St. R. Co., 67 Neb. 469, 1096bl
v. St. Louis, &c., R. Co., 75 Mo. 27, 1102
v. Saratoga, &c., R. Co., 23 Wend. (N. Y.) 425, 1038
v. Smith, 27 Vt. 328, 666
v. Taunton, &c., Co., 9 Allen (Mass.) 181, 1700
v. Wright, 23 Pa. St. 76, 142
Lincoln County v. Luning, 133 U. S. 529, 700
Lincoln Rapid Transit Co. v. Nichols, 37 Neb. 332, 1096cn
Lincoln St. R. Co. v. Cox, 48 Neb. 807, 1096bw
v. Lincoln, 61 Neb. 109, 1096aj, 1096an
v. McClellan, 54 Neb. 672 6, 1096cr
Lincoln Trac. Co. v. Heller, 102 N. W. 262, 1096cw
v. Shepherd, 104 N. W. 882, 1644
v. Shepherd, 107 N. W. 764, 1096cw, 1689g
Lincoln, &c. v. Missouri, &c., R. Co., 2 Interst Com. 98, 1684
Lincoln, &c., R. Co. v. Sutherland, 44 Neb. 526, 1057f
Lind v. Chicago, &c., R. Co., 42 Kan. 352, 1139
Lindal v. Wesley, 167 U. S. 204, 700
Lindell v. Benton, 6 Mo. 361, 612
v. Hannibal, &c., R. Co., 36 Mo. 543, 1004
Lindeman v. N. Y., &c., R. Co., 11 N. Y. St. 837, 1157
Linden v. Anchor, &c., Co., 20 Utah 134, 1378b
v. Kansas, &c., Co., 4 Colo. 433, 1360
Linden Land Co. v. Milwaukee R. Co., 107 Wis. 511, 6
Linder v. Carpenter, 62 Ill. 309, 275
Linderberg v. Crescent Co., 9 Utah 163, 218
Lindfield v. Old Colony, &c., R. Co., 10 Cush. (Mass.) 562, 461, 471, 1114
Lindgen v. Minnesota, &c., Co., 63 Minn. 203, 1355
Lindh v. Great Northern R. Co., 109 N. W. 823, 1577b
Lindley v. Richmond, &c., R. Co., 88 N. Car. 547, 1434, 1436, 1450
Lindsay v. Canadian, &c., R. Co. 68 Vt. 556, 1794
v. Commonwealth, 2 Bay (S. Car.) 38, 979
v. Great Northern R. Co., 17 Jur. 522, 363
v. New York, &c., R. Co., 112 Fed. 34, 1312
v. Railroad, 114 Ga. 896, 1628
v. Railway Co., 64 Ia. 407, 1628
v. Winona, &c., R. Co., 29 Minn, 411, 1238
Lindsay Petroleum, &c., Co. v. Hurd, L. R. 5 P. C. 221, 12
Lindsey v. Chicago, &c., R. Co., 64 Iowa, 407, 1643
v. Hawes, 2 Black 554, 809
v. Miller, 6 Pet. 666, 806
v. Rottaken, 32 Ark. 619, 882, 897
Lindsley v. Chicago, &c., R. Co., 36 Minn. 539, 1516, 1545, 1548
Lindvall v. Woods, 41 Minn. 212, 1301, 1317, 1318
Lineosky v. Susquehanna, &c., Co., 157 Pa. St. 153, 1296
Lines v. Chesapeake, &c., R. Co., 91 Fed. 964, 1378a
Ling v. St. Paul, &c., R. Co., 50 Minn. 160, 1318
Lingenfelter v. Baltimore, &c., R. Co., 154 Ind. 49, 1251, 1258
Lininger v. Glenn, 33 Neb. 573, 1049
Linkauf v. Lombard, 137 N. Y. 417, 1702
Linn v. Patton, 10 W. Va. 187, 517
Linnehan v. Rollins, 137 Mass. 123, 1342
Linneman v. Bieber, 33 N. Y. Supp. 129, 1073, 1075
Linton v. Sharpsburg, &c., Co., 1 Grant's Cas. (Pa.) 414, 42
Linton, &c., Co. v. Persons, 11 Ind. App. 264, 1272, 1278, 1315
Lipes v. Hand, 104 Ind. 503, 988, 1012
Lipfield v. Charlotte, &c., R. Co., 41 S. Car. 285, 1237
Lipford v. Charlotte R. Co., 7 Rich. (S. Car.) 409, 1455, 1481, 1520

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lippincott v. Pana, 92 Ill. 24, 832, 875, 876, 900, 908
v. Shaw Carriage Co., 25 Fed. 577, 604
Lippman v. Illinois Cent. R. Co., 2 Interst. Com. Com. R. 584, 1682
v. Illinois Central R. Co., 2 Interst. Com. 414, 1686
Liquidators, &c. v. Douglas, 22 Sess. Cases (2d series) (Scotch) 447, 278
Lipscomb v. Condon, 56 W. Va. 416, 78, 79
v. Houston, &c., R. Co., 95 Tex. 5, 220, 1361, 1378b
Liscomb v. New Jersey, &c., R. Co., 6 Lans. 75, 1590, 1641
List v. Wheeling, 7 W. Va. 501, 820, 832, 842, 861
Lister v. Lobley, 6 Nev. & M. 340, 1025
v. Railway Co., 1 K. B. (1903) 878, 1481
Listman Mill Co. v. Chicago, &c., R. Co., 8 I. C. C. 47, 1686a
Liston v. Central, &c., R. Co., 70 Iowa 714, 1190, 1207, 1216
Litchfield v. Ballou, 114 U. S. 190, 888, 895, 911
v. County of Webster, 101 U. S. 773, 779, 793
v. Polk Co., 18 Iowa 70, 751
v. Vernon, 41 N. Y. 123, 782, 825
v. White, 7 N. Y. 438, 278
Litchfield Bank v. Church, 29 Conn. 137, 569, 616
v. Peck, 29 Conn. 384, 131, 569
Litchfield, &c., Coal Co. v. Taylor, 81 Ill. 590, 1315
Litchfield, &c., R. Co. v. Easton, 222 Ill. 242, 1662c
v. People, 222 Ill. 242, 458, 638, 1573
Litt v. Cowley, 7 Taunt. 169, 1542
Littaur v. Narragansett, &c., R. Co., 61 Fed. 591, 1164, 1170
Little v. Boston, &c., R. Co., 66 Me. 239, 1421, 1491, 1500, 1516, 1535, 1718, 1738
v. Chicago, 46 Ill. App. 534, 786
v. Dublin, &c., R. Co., 7 Ir. C. L. 82, 1004
v. Dusenberry, 46 N. J. Law 614, 571, 576, 577, 578, 1341
v. Fargo, 43 Hun 233, 1459
v. Giles, 118 U. S. 596, 647, 650, 650a
v. Hackett, 116 U. S. 366, 1096ck, 1174, 1178
v. Kerr, 44 N. J. Eq. 263, 220
v. Semple, 8 Mo. 99, 1425
v. Southern R. Co., 120 Ga. 347, 1294
v. Superior, &c., R. Co., 88 Wis. 402, 1095, 1096ce, 1096cq
v. Vanderbilt, 26 Atl. 1025, 567
Little, &c., R. Co. v. Norton, 24 Pa. St. 465, 1257
Littlefield v. Boston, &c., R. Co., 65 Me. 248, 1026
v. Maxwell, 31 Me. 134, 947
Littlejohn v. Chicago, &c., R. Co., 219 Ill. 584, 939, 940
v Fitchburg R. Co., 148 Mass. 478, 1573, 1578
v. Richmond, &c., R. Co., 49 S. Car. 12, 1179h, 1258
Little Miami R. Co. v. Collet, 6 Ohio St. 182, 987, 988, 990a
Little Miami, &c., R. Co. v. Commissioners, 31 Ohio St. 338, 1092, 1096an, 1105, 1112
v. Dayton, 23 Ohio St. 510, 74, 632, 966, 974, 1098
v. Greene Co., 31 Ohio St. 338, 948a
v. Hambleton, 40 Ohio St. 496, 459, 476, 948
v. Naylor, 2 Ohio St. 335, 930, 1056
v. Washburn, 22 Ohio St. 324, 1432, 1440
v. Wetmore, 19 Ohio St. 110, 214, 1265, 1638
v. Whitacre, 8 Ohio St. 590, 1048
Little Rock v. Citizens St. R. Co., 56 Ark. 28, 1096al
v. National Bank, 98 U. S. 308, 906
Little Rock Trac., &c., Co. v. Hicks, 79 Ark. 248, 1096bn, 1689l
v. Morrison, 69 Ark. 289, 1096cd
v. Nelson, 66 Ark. 494, 1628a
v. Worthen, 46 Ark. 312, 736
Little Rock Trust Co. v. Southern R. Co., 195 Mo. 669, 511, 1073, 1074a
Little Rock, &c., R. Co. v. Allen, 41 Ark. 431, 995, 996
v. Allister, 62 Ark. 1, 1003b
v. Barker, 33 Ark. 350, 1378a
v. Barker, 39 Ark. 491, 1828
v. Barry, 84 Fed. 949, 1280
v. Barry, 58 Ark. 198, 1322
v. Birnie, 59 Ark. 66, 945
v. Blewett, 65 Ark. 235, 1166
v. Brooks, 39 Ark. 403, 718
v. Cavenesse, 48 Ark. 106, 1374, 1641, 1686g, 1704, 1845
v. Conatser (Ark), 33 S. W. 1057, 1476, 1695, 1733
v. Corcoran, 40 Ark. 375, 1457
v. Cravens, 57 Ark. 112, 1497, 1500, 1504
v. Daniels, 68 Ark. 171, 468
v. Daniels, 49 Ark. 352, 1508, 1563, 1569
v. Dean, 43 Ark. 529, 1596, 1598
v. Densemann (Ark.), 16 S. W. 169, 1171
v. Dick, 52 Ark. 402, 1211
v. East Tennessee, &c., R. Co., 47 Fed. 771, 701, 1453, 1672, 1678, 1688a
v. East Tennessee, &c., R. Co., 21 Interst. Com. 454, 1686
v. Eubanks, 48 Ark. 460, 1272, 1376, 1378c
v. Finley, 37 Ark. 562, 1180, 1205, 1209
v. Glidewell, 39 Ark. 487, 1393, 1465, 1523
v. Goerner, 95 S. W. 1007, 1637, 1830
v. Greer, 77 Ark. 387, 978, 986, 1000, 1025
v. Hall, 32 Ark. 669, 1415, 1420
v. Hanniford, 49 Ark. 291, 679
v. Harrell, 53 Ark. 454, 1096ck, 1178
v. Haynes, 47 Ark. 497, 1257
v. Henson, 39 Ark. 413, 1213
v. Holland, 40 Ark. 336, 1205
v. Hunter, 42 Ark. 200, 1410, 1651, 1652, 1652a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Little Rock, &c., R. Co. v. Iredell, 50 Ark. 388, 654
v. Jamison, 70 Ark. 387, 1215
v. Jones, 41 Ark. 157, 1213
v. Kinbro, 87 S. W. 121, 1583, 1585
v. Lawton, 55 Ark. 428, 1628
v. Leverett, 48 Ark. 333, 1278, 1378a
v. Little Rock, &c., R. Co., 36 Ark. 663, 16
v. McGehee, 41 Ark. 202, 531, 958, 995
v. Martin, 62 Ark. 156, 1166
v. Miles, 40 Ark. 298, 303, 1605, 1606, 1608, 1632, 1643
v. Miller Coal Co., 66 Ark. 645, 1755
v. Moseley, 56 Fed. 1009, 1290, 1296, 1327
v. Newman, 73 Ark. 1, 981, 1086, 1096bn
v. North Little Rock, Ark., 88 S. W. 826, 1096bi
v. Oppenheimer, 64 Ark. 271, 1467, 1679
v. Page, 35 Ark. 304, 276
v. Pankhurst, 36 Ark. 371, 1172
v. Payne, 33 Ark. 816, 1213, 1219
v. Perry, 37 Ark. 164, 14, 352
v. Record, 74 Ark. 125, 1593, 1646, 1647, 1648, 1661, 1685
v. St. Louis, &c., R. Co., 41 Fed. 559, 1432
v. St. Louis, &c., R. Co., 59 Fed. 400, 1395, 1685
v. St. Louis, &c., R. Co., 41 Fed. 559, 1672, 1678, 1681, 1685
v. St. Louis, &c., R. Co., 63 Fed. 775, 1395, 1558, 1667, 1677, 1678, 1681
v. Shoecraft, 56 Ark. 465, 1782
v. Talbot, 39 Ark. 523, 1497, 1505, 1516
v. Townsend, 41 Ark. 382, 1272
v. Trotter, 37 Ark. 593, 1204, 1206
v. Turner, 41 Ark. 161, 1204
v. Voss, 18 S. W. 172, 1269
v. Woodruff, 49 Ark. 381, 994, 995, 1036, 1038, 1041
Littleton v. Fritz, 65 Iowa 488, 631
Littleton Bridge Co. v. Pike, 72 Vt. 7, 1010
Littleton Mfg. Co. v. Parker, 14 N. H. 543, 111a
Littleton Nat. Bank v. Portland &c., Co., 58 N. H. 104, 626
Littlewood v. Mayor, 89 N. Y. 24, 1370, 1375
Litzenberger v. Jarvis, &c., Trust Co., 8 Utah 15, 528
Livermon v. Roanoke, &c., R. Co., 109 N. Car. 52, 1000
Liverpool, &c., Ins. Co. v. McNeill, 89 Fed. 131, 1508
Liverpool Ins. Co. v. Massachusetts, 10 Wall. (U. S.) 566, 16
Liverpool, &c., Asso. v. London, &c., R. Co., L. R. (1891) 1 Q. B. Div. 120, 1677, 1678, 1684
Liverpool, &c., Co. v. Snitter, 17 Fed. 695, 1527
Liverpool, &c., R. Co. v. Phenix Ins. Co., 129 U. S. 397, 1396, 1488, 1494, 1497, 1500, 1506, 1509, 1670
Livesey v. Omaha, &c., Co., 5 Neb. 50, 18, 111, 115
Live Stock Co. 101 v. Kansas City, &c., R. Co., 100 Mo. App. 674, 1510a, 1755
Livezey v. Northern Pac. R. Co., 157 Pa. St. 75, 92
v. Philadelphia, 64 Pa. St. 106, 1455, 1584
Livingston v. Darlington, 101 U. S. 407, 816, 822, 824, 825
v. Lynch, 4 Johns. Ch. 573, 376
v. Mayor, &c., of New York, 8 Wend. (N. Y.) 85, 951
v. Miller, 48 Hun 232, 1544
v. New York, &c., R. Co., 76 N. Y. 631, 1451
v. New York, &c., R. Co., 5 Hun 562, 1484
v. Pettigrew, 7 Lans. (N. Y.) 405, 576, 579
v. Pippin, 31 Ala. 542, 1096u
v. Sulzer, 19 Hun (N. Y.) 375, 1003b
Livingston County v. Darlington, 101 U. S. 407, 816, 822, 847
v. First Nat. Bank, 128 U. S. 102, 126, 323, 325, 819, 863, 886, 897, 903, 913
Livingston v. Temperance, &c., Society, 31 Am. & Eng. Corp. Cas. 541, 177
Lloyd v. Barden, 3 Strob. 343, 1406
v. Chesapeake, &c., R. Co., 65 Fed. 351, 549, 555, 567
v. City, &c., R. Co., 110 Ga. 165, 1096cm
v. European, &c., Co., 18 Nev. Burns. 194, 490
v. Gulbert, 6 Best & S. 100, 1494
v. Hanes, 126 N. Car. 359, 1288a
v. Kansas City, &c., R. Co., 40 So. 1005, 1419
v. Northampton, &c., R. Co., 3 Nev. & Mac. 259, 1683
v. Passingham, 16 Ves. 59, 540, 549
v. Preston, 146 U. S. 630, 91, 110, 175
v. Railroad Co., 109 N. C. 472, 1166a
v. St. Louis, &c., R. Co., 128 Mo. 595, 1175
v. Wagner, 93 Ky. 644, 487
Loague v. Taxing Dist. of Brownsville, 36 Fed. 149, 918
Loan Assn. v. Stonemetz, 29 Pa. St. 534, 272
v. Topeka, 20 Wall. 655, 664, 781, 814, 836, 840
Lochner v. New York, 198 U. S. 45, 1336
Lock Haven Bridge Co. v. Clinton Co., 157 Pa. St. 379, 950
Locke v. First Division, &c., R. Co., 15 Minn. 350, 1150, 1205, 1214
v. North Eastern R. Co., 3 Nev. & Mac. 44, 1678
Lockett v. Hill, 1 Woods (U. S.) 552, 529
Lockhart v. Craig St. R. Co., 139 Pa. St. 419, 8, 1080, 1096r
v. Lichtenthaler, 46 Pa. St. 151, 1178
v. Little Rock, &c., R. Co., 40 Fed. 631, 476, 1247c
v. Van Alstyne, 31 Mich. 76, 82, 83, 86, 174, 304, 315

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lockie v. Mut. Un. Tel. Co., 103 Ill. 401, 970, 973
Lockport, &c., R. Co., In re, 19 Hun (N. Y.) 38, 1127
Lockport, &c., R. Co., Matter of, 77 N. Y. 557, 1027, 1117, 1119
Lockwood v. Mechanics' Nat. Bank, 9 R. I. 308, 99
v. New York, &c., R. Co., 98 N. Y. 523, 1378a
v. Ohio River R. Co., 103 Fed. 243, 419, 934a, 938
v. St. Louis, 24 Mo. 20, 782
v. Thunder, &c., Co., 42 Mich. 536, 256
v. Wabash R. Co., 122 Mo. 86, 630, 1078, 1080, 1087, 1089
Lockyer v. International Sleeping Car Co., 61 L. J. Q. B. 501, 1616, 1617a
Loder v. New York, &c., Co., 4 Hun 22, 73
Lodge v. Philadelphia, &c., R. Co., 8 Phila. (Pa.) 345, 629, 930, 954, 962, 970, 973
Lodwick Lumber Co. v. Taylor (Tex.), 87 S. W. 358, 1, 1a, 1338
Loeb, Ex parte, 72 Fed. 657, 1668
v. Peters, 63 Ala. 243, 1429, 1539, 1541
v. Wabash R. Co., 85 S. W. 119, 1519
Loeser v. Humphrey, 41 Ohio St. 378, 1804
v. Railway Co., 94 Wis. 571, 1548
Loesnitz v. Seelinger, 127 Ind. 422, 858, 913
Loewenthal v. People, 192 Ill. 222, 751a
v. Rubber, &c., Co., 52 N. J. Eq. 440, 160
v. Streng, 90 Ill. 74, 1828
Lofdahl v. Minneapolis, &c., R. Co., 88 Wis. 421, 1172, 1261
Lofink v. Interborough, &c., Co., 102 App. Div. (N. Y.) 275, 1817
Lofton v. Vogles, 17 Ind. 105, 1359
Loftus v. Union, &c., R. Co., 84 N. Y. 455, 1274, 1584
Logan v. Boston El. R. Co., 188 Mass. 414, 996
v. Cent. R. Co., 74 Ga. 684, 200
v. Hannibal, &c., R. Co., 77 Mo. 663, 1593, 1637
v. Metropolitan St. R. Co., 183 Mo. 582, 1096cw, 1831, 1842
v. North Carolina, R. Co., 116 N. C. 940, 1a, 70, 467, 472, 1329
v. St. Louis, &c., R. Co., 111 Mo. App. 674, 1207, 1214
v. Pontchartrain R. Co., 11 Rob. (La.) 24, 1661
v. Stogdale, 123 Ind. 372, 952
v. Stranahan, 12 U. C. Q. B. 15, 1060
v. Vernon, &c., R. Co., 90 Ind. 552, 55, 1052
v. Wabash Western R. Co., 43 Mo. App. 71, 1240
v. Wabash R. Co., 96 Mo. App. 461, 1247
v. Western, &c., R. Co., 87 Ga. 553, 612
Logansport v. Dick, 70 Ind. 65, 1063
v. Justice, 74 Ind. 378, 171, 1814
v. Shirk, 88 Ind. 563, 972
Logansport, &c., Co. v. Buchanan, 52 Ind. 163, 985
v. Wray, 52 Ind. 578, 1181
Logwood v. Memphis, &c., R. Co., 23 Fed. 318, 1665
Lohman v. New York, &c., R. Co., 2 Sandf. (N. Y.) 39, 110, 483
v. St. Paul, &c., R. Co., 18 Minn. 174, 1020, 1023, 1048, 1049
Lohse v. Missouri, &c., R. Co., 44 Mo. App. 645, 1031, 1033
Lombard v. Chicago, &c., R. Co., 47 Ia. 494, 1828
Lonaconing v. Midland, &c., R. Co., 95 Md. 630, 1096be
Lonax v. Southwest Mo., &c., Co., 119 Mo. App. 192, 1377
London v. Eight Ave. R. Co., 162 N. Y. 380, 1096cw
v. Sample, &c., Co., 91 Ala. 606, 1029
London, &c., Ins. Co., In re, L. R. 24 Ch. Div. 149, 132
London, &c., Co., In re, L. R. 31 Ch. D. 223, 164
London, &c., Co., In re, L. R. 5 Ch. Div. 522, 176
London, &c., Co., In re, L. R. 5 Eq. 519, 305, 613
London, &c., Co. v. Morphy, 12 Am. & Eng. Corp. Cas. 53, 73
v. Rome, &c., R. Co., 144 N. Y. 200, 1403, 1404
London, &c., Ins. Co., Re, L. R. 24 Ch. Div. 149, 132
London, &c., Ins. Co. v. Rome, &c., R. Co., 144 N. Y. 200, 1405, 1462, 1464
v. Rome, &c., R. Co., 23 N. Y. Supp. 231, 1400
v. Rome, &c., R. Co., 68 Hun 598, 1462
London, &c., Land Co., In re, L. R. 31 Ch. D. 223, 164
London, &c., R. Co. v. Bartlett, 7 H. & N. 400, 216, 303, 1408, 1519, 1531, 1536
v. Evershed, L. R. 3 App. Cas. 1029, 1560, 1564, 1676, 1678
v. Fairclough, 2 Mann. & G. 674, 152
v. Goodwin, 3 Exch. 320, 232
v. Grand Junction Canal Co., 1 Eng. R. & Canal Cas. 224, 954
v. Hinchcliffe, 2 K. B. 32, 1593
v. McMichael, 3 Ex. 855, 351
v. Myers, 39 L. J. C. P. 57, 1563
v. Watson, L. R. 3 C. P. Div. 429, 727a
London, &c., R. R. Co. v. Price, L. R. 11 Q. B. Div. 485, 41, 1566
London, &c., Society v. Hagerstown, &c., Bank, 36 Pa. St. 498, 1266
London Transp. Co. v. Frenchmann, 1 K. B. 635, 1558
Lone Star Salt Co. v. Texas, &c., R. Co., 90 S. W. 863, 1062
Lonergan v. Illinois Cent. R. Co., 87 Iowa 755, 1158, 1264
Long v. Central Iowa R. Co., 64 Iowa 657, 1193
v. Chicago, &c., R. Co., 15 Okla. 512, 1577b
v. Chicago, &c., R. Co., 48 Kan. 28, 1638
v. Chicago, &c., R. Co., 86 Pac. 289, 1821
v. Commissioners' Court, 18 Ala. 482, 1018
v. Coronado, &c., R. Co., 96 Cal. 269, 1292, 1314

Digitized by Google

[References are to Sections—Vol. I, §§ 1–656a; Vol. II, §§ 657–1075; Vol. III, §§ 1076–1390; Vol. IV, §§ 1391–1851.]

Long v. Georgia Pac. R. Co., 91 Ala. 519, 371, 397
v. Girdwood, 150 Pa. St. 413, 555
v. Harrisburgh, &c., Co., 126 Pa. St. 143, 987
v. Horne, 1 C. & P. 610, 1406
v. Morrison, 14 Ind. 595, 1376, 1821
v. New London, 9 Biss. 539, 822, 824
v. New York, &c., R. Co., 50 N. Y. 76, 1415, 1423
v. Pennsylvania R. Co., 147 Pa. St. 343, 1457, 1584, 1644, 1651
v. Pennsylvania R. Co., 80 Iowa 92, 1660
v. Railroad Co., 147 Pa. St. 343, 1455
v. Straus, 107 Ind. 94, 403, 1494
v. Wilson, 119 Ia. 267, 1084, 1086
Long Branch Commissioners v. West End R. Co., 29 N. J. Eq. 566, 919a, 1056b, 1076
Long Branch, &c., R. Co., In re, 24 N. J. Eq. 398, 539, 542, 547
Long Dock Co. v. Mallery, 12 N. J. Eq. 431, 545, 549
Long Dock, &c., Co. v. Morris, &c., R. Co. (N. J.), 30 Am. & Eng. R. Cas. 431, 963
Long Island L. & T. Co. v. Columbus, &c., R. Co., 65 Fed. 455, 485
Long Island R. Co., Matter of, 19 Wend. (N. Y.) 37, 149, 156, 157, 164, 193, 197, 261
Long Island R. Co., In re, 45 N. Y. 364, 930, 1014
Long Island R. Co., In re, 143 N. Y. 67, 960
Long Island R. Co., In re, 6 T. & C. (N. Y.) 298, 998
Long Island R. Co. v. Bennett, 10 Hun (N. Y.) 91, 1019
v. Brooklyn, 8 N. Y. S. 805, 1081
v. Silverstone, 19 N. Y. Supp. 140, 1100
Long Island, &c., Co. v. Brooklyn, 166 U. S. 685, 950, 951, 963
v. Reilly, 89 App. Div. (N. Y.) 166, 1053
Longabaugh v. Virginia City, &c., R. Co., 9 Nev. 271, 1224, 1226, 1228, 1242, 1243, 1243a
Longenecker v. Pennsylvania R. Co., 105 Pa. St. 328, 1158, 1161, 1163, 1701
Longfellow v. Quimby, 29 Me. 196, 858
v. Quimby, 33 Me. 457, 1239
Longhorne v. Robinson, 20 Gratt. 661, 814
Longmore v. Great Western R. Co., 19 C. B. (N. S.) 183, 1628, 1641
Longshore, &c., Co. v. Howell, 26 Ore. 527, 633
Longtin v. Persell, 30 Mont. 306, 1057
Longworth v. Meriden, &c., R. Co., 61 Conn. 451, 937
Looker v. Maynard, 179 U. S. 46, 160
Lookout Mountain R. Co. v. Houston, 32 Fed. 711, 653
Loomis v. Carrington, 18 Fed. 97, 656a
v. Davenport & St. P. R. R. Co., 17 Fed. 301, 497
Loon, The, 7 Blatch. 244, 1419
Loop v. Chamberlain, 20 Wis. 135, 1050, 1055
Loraine v. Pittsburg, &c., R. Co., 205 Pa. St. 132, 622, 643
Loranges v. Lake Shore, &c., R. Co., 104 Mich. 80, 1282
Lorch v. Aultman, &c., Co., 75 Ind. 162, 563
Lord v. Brooks, 52 N. H. 72, 312
v. Manchester St. R. Co., 67 Atl. 639, 1807
v. Meadville, &c., Co., 135 Pa. St. 122, 977
v. Pueblo, &c., Refining Co., 12 Colo. 390, 1376
v. Steamship Co., 102 U. S. 541, 689, 690, 1671
Lord Belhaven's Case, 3 DeG., J. & S. 41, 177
Lord Derby, The, 17 Fed. 265, 1639
Lord Gerard & London, &c., R. Co., In re, L. R. (1894) 2 Q. B. 915, 955
v. Burlington, &c., R. Co., 115 Ia. 377, 1166a
Lorenz v. Jacob, 63 Cal. 73, 952
Lorie v. North Chicago Ry. Co., 32 Fed. 270, 9, 1096
Lorillard v. Clyde, 86 N. Y. 384, 88, 89
v. Palmer, 15 John. 14, 1473
Loring v. Aborn, 4 Cush. (Mass.) 608, 1602
v. Kansas City, &c., R. Co., 128 Mo. 349, 1272, 1310, 1314
v. Mulcahy, 3 Allen 575, 1466
v. Salisbury Mills, 125 Mass. 138, 94
v. Worcester, &c., R. Co., 131 Mass. 469, 1243, 1243a
Lorman v. Clarke, 2 McLean 568, 1663
Los Angeles Co. v. Reyes, 32 Pac. 233, 1035a
Los Angeles Traction Co. v. Conneally, 136 Fed. 104, 1096bq, 1096br
Los Angeles, &c., Asso. v. City of Los Angeles, 95 Cal. 420, 283
Losee v. Buchanan, 51 N. Y. 476, 1057, 1299
Lothian v. Woods, 55 Cal. 159, 1071
Lothrop v. Fitchburg, &c., R. Co., 150 Mass. 423, 1345
v. Stedman, 13 Blatch. (U. S.) 134, 56
v. Stedman, 42 Conn. 583, 57, 613
Lotspeich v. Central R. Co., 73 Ala. 306, 1438, 1677
Lott v. Frankford, &c., R. Co., 159 Pa. St. 471, 1094
v. New Orleans, &c., R. Co., 37 La. Ann. 337, 1639
v. Ross, 38 Ala. 156, 782
Lottawanna, The, 21 Wall. (U. S.) 577, 1358e
Lottery Cases, 188 U. S. 321, 1358e, 1663
Lottimer v. Lord, 4 E. D. Smith, (N. Y.), 183, 552
Loucks v. Chicago, &c., R. Co., 31 Minn. 526, 1114, 1153, 1156, 1158
Loud v. Charlestown, 99 Mass. 208, 751
v. South Carolina R. Co., 4 Interst. Com. R. 203, 1566
v. South Carolina R. Co., 5 Interst. Com. Com. R. 529, 1684
Lough v. Minneapolis, &c., R. Co., 116 Ia. 31, 992, 994, 995, 996

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lough v. Outerbridge, 143 N. Y. 271, 1391, 1467
Loughbridge v. Harris, 42 Ga. 500, 952
Loughlin v. Brassil, 187 N. Y. 128, 1333a
v. State, 105 N. Y. 159, 1329
Louis v. Brown Township, 109 U. S. 162, 918
Louisiana v. Jumel, 107 U. S. 711, 700
v. Pilsbury, 105 U. S. 276, 840
v. Taylor, 105 U. S. 454, 842
v. Wood, 102 U. S. 294, 228, 373, 890, 908, 911
Louisiana Nat. Bank v. Laveille, 52 Mo. 380, 303, 1419
Louisiana Paper Co. v. Waples, 3 Woods (U. S.) 34, 138, 182
Louisiana R. &c., Co. v. Jones, 113 La. Ann. 29, 993
v. State, 75 Ark. 435, 444
v. Xavier Realty, 115 La. Ann. 328, 952, 954, 970
Louisiana Western R. Co. v. Crossman, 111 La. Ann. 611, 1045, 1053a
Louisiana, &c., Bank v. Senecal, 13 La. 525, 268
Louisiana, &c., R. Co. v. Moseley, 117 La. Ann. 313, 952b, 969
v. Pickett, 25 Mo. 535, 1012
v. State, 75 Ark. 435, 49
v. Vicksburgh, &c., R. Co., 112 La. Ann. 915, 966, 1053a
Louisville v. Louisville, &c., Co., 90 Ky. 409, 742
v. Portsmouth, &c., Bank, 104 U. S. 589, 832
v. Savings Bank, 104 U. S. 469, 819, 842
Louisville Bagging Mfg. Co. v. Central Pass. R. Co. 95 Ky. 50, 1096c
Louisville Banking Co. v. Eisenman, 94 Ky. 83, 606
Louisville City It. Co. v. Central Pass. R. Co., 87 Ky. 223, 1096s
v. Louisville, 8 Bush, Ky. 415, 1096L
Louisville Gas Co. v. Citizens', &c., Co., 115 U. S. 683, 768
Louisville R. Co. v. Edeleis Adm'x. (Ky.) 96 S. W. 901, 1096bs
v. Foster (Ky.), 45 S. W. 235, 1096d
Louisville Safety Vault Co. v. Louisville & N. R. R. Co., (Ky.) 14 L. R. A. 579, 21
Louisville Term. Co. v. Jacobs, 109 Tenn. 727, 718, 954, 1056a, 1057j, 1085
Louisville Transfer Co. v. Obst, (Ky.), February, 1875, 784
Louisville Trust Co. v. Cincinnati, &c., R. Co., 91 Fed. 699, 497
v. Cincinnati, 76 Fed. 296, 931, 1096b, 1096l, 1096p, 1096ac, 1096ad
v. Cincinnati, 73 Fed. 716, 1096ad
v. Louisville, &c., R. Co., 75 Fed. 433, 17, 28, 29, 322, 481
v. Louisville, &c., R. Co., 174 U. S. 674, 532, 535
Louisville Water Co. v. Clark, 143 U. S. 1, 770
Louisville, &c., Consol. R. Co. v. Berry, 9 Ind. App. 63, 1782
Louisville, &c., Ferry Co. v. Kentucky, 188 U. S. 385, 755, 758
Louisville, &c., Packet Co. v. Bottorff, 77 S. W. 920, 1730
Louisville, &c., R. Co., In re, 5 Interst. Com. Com. R. 466, 1680
Louisville, &c., R. Co., In re, 1 Interst. Com. Com. R. 31, 1682
Louisville, &c., R. Co. v. Allen, 78 Ala. 494, 1274, 1284, 1299
v. Anchors, 114 Ala. 492, 1096bp, 1096ck
v. Arnold, 102 S. W. 322, 1840
v. Baldwin, 85 Ala. 619, 668
v. Ballard, 2 Met. (Ky.) 177, 1190, 1204, 1209
v. Ballard, 85 Ky. 307, 1589, 1638, 1802
v. Banks, 104 Ala. 508, 1345
v. Banks, 132 Ala. 471, 1795
v. Barber, &c., Co. 197 U. S. 430, 782, 786
v. Barkhouse, 100 Ala. 543, 1428, 1526, 1535
v. Bates, 146 Ind. 564, 1273, 1279, 1296, 1309
v. Bate, 12 Lea. Tenn. 581, 737
v. Behimer, 175 U. S. 662, 1673, 1676, 1679, 1682, 1684g, 1686
v. Belcher, 89 Ky. 193, 1183
v. Bell, 100 Ky. 203, 1605
v. Bell, 13 Ky. L. 393, 1689a, 1712
v. Berg (Ky.) 32 S. W. 616, 1359
v. Berkey, 136 Ind. 181, 1688, 1766
v. Berry, 88 Ky. 222, 1256
v. Berry, 2 Ind. App. 427, 1278, 1689c
v. Bessemer, 108 Ala. 238, 1082
v. Betz, 7 Ky. L. 606, 1714
v. Bigger, 66 Miss. 319, 1546
v. Binion, 107 Ala. 645, 1283, 1807
v. Binion, 98 Ala. 570, 1283, 1296, 1349, 1689g
v. Binkley, 1 Tenn. Ch. App. 531, 1057g
v. Bisch, 120 Ind. 549, 1289h, 1582, 1629, 1643
v. Biszell, 131 Ala. 429, 1848
v. Blaydes, Ky. 51 S. W. 820, 1095
v. Blum, 89 S. W. 186, 1635
v. Blythe, 69 Miss. 939, 329
v. Board, 25 Ky. L. 2180, 1838
v. Bocock, 51 S. W. 580, 1280
v. Bodine, 109 Ky. 509, 1154
v. Boland, 96 Ala. 626, 1279, 1283, 1296, 1394, 1395, 1689h
v. Boney, 117 Ind. 501, 67, 329, 334, 335, 389, 520, 521, 786, 1074, 1096ad, 1096bl
v. Bonhayo, 94 Ky. 67, 1057
v. Bottorff, 25 Ky. L. 1324, 1731
v. Bouldin, 121 Ala. 197, 1269, 1283, 1782
v. Bourne, 29 S. W. 975, 1449, 1556a
v. Bowcock, 107 Ky. 223, 1294
v. Bowler, 9 Heisk. 866, 1316
v. Bowling Green R. Co., 110 Ky. 788, 1096q, 1096bp
v. Breckenridge, (Ky.) 34 S. W. 702, 1594, 1637
v. Breedlove, 10 Ind. App. 657, 1286
v. Breedon, 111 Ky. 729, 473
v. Brice, 84 Ky. 298, 1301
v. Brinley (Ky.), 29 S. W. 305, 1555
v. Britton, 39 So. 585, 1526

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Louisville, &c., R. Co. v. Brooks, 77 S. W. 693, 1140, 1141
v. Brooks, 83 Ky. 129, 1282, 1801
v. Brown, 28 Ky. L. 772, 1719
v. Brown, 123 Fed. 946, 1684a, 1684b, 1684d, 1684e
v. Brownlee, 14 Bush (Ky.), 590, 1502
v. Bryan, 107 Ind. 51, 1251, 1257
v. Buck, 116 Ind. 566, 217, 1689i
v. Burke, 46 Tenn. 45, 1804
v. Caldwell, 98 Ind. 245, 480
v. Campbell, 97 Ala. 147, 1275, 1278, 1296, 1307, 1348, 1349, 1432
v. Campbell, 7 Heisk. 253, 1443, 1443a, 1449, 1459
v. Carothers, 23 Ky. L. 1673, 1805
v. Case, 9 Bush (Ky.), 728, 1178, 1371
v. Caster (Miss.), 5 So. 388, 1204
v. Cauble, 46 Ind. 277, 563, 581, 1208
v. Cavens, 9 Bush, 559, 1316
v. Central, &c., Co., 95 Ky. 50, 1089
v. Central, &c., R. Co., 87 Ky. 223, 1084, 1096au
v. Central Stockyards Co., 97 S. W. 778, 1394, 1685
v. Central Stockyards Co., 30 Ky. L. 18, 1669
v. Chappell, Rice L. (S. C.) 383, 953, 960
v. Cheatham, 100 S. W. 902, 1063, 1064
v. Chestnut & Bro. 115 Ky. 43, 621, 1433
v. Cincinnati, 76 Fed. 296, 1096n
v. Clark, 105 Ky. 571, 1793, 1850
v. Clarke, 152 U. S. 230, 1370
v. Cochran (Ala.), 16 So. 797, 1180
v. Cody, 119 Ga. 371, 1694
v. Coleman, 86 Ky. 556, 1162
v. Collier, 104 Tenn. 189, 1628, 1841
v. Collins, 2 Duv. (Ky.) 114, 1160
v. Collingsworth, 45 Fla. 403, 1807
v. Com'rs. 21 Ky. L. 232, 1684g
v. Commonwealth, 97 Ky. 675, 337
v. Commonwealth, 106 Ky. 633, 1684g
v. Commonwealth, 31 S. W. 476, 447, 1670
v. Commonwealth, 30 S. W. 616, 662
v. Commonwealth, 13 Bush (Ky.), 388, 709, 718
v. Commonwealth, 80 Ky. 143, 718, 1160
v. Commonwealth (Ky.), 26 S. W. 536, 719
v. Commonwealth, 10 Bush, 43, 736
v. Coniff, 90 Ky. 560, 1361a
v. Connor, 9 Heisk. (Tenn.) 19, 711, 1155
v. Conrad, 4 Ind. App. 83, 1602
v. Cooley, 49 S. W. 1372, 1371
v. Corps, 124 Ind. 427, 1291, 1311, 1689b
v. Costello, 9 Ind. App. 462, 1628
v. Coulter, 131 Fed. 282, 751b
v. Coulton, 86 Ala. 129, 1349, 1353
v. County Court, 1 Sneed (Tenn.), 637, 814, 821, 849, 863, 872, 874
Louisville, &c., R. Co. v. Covington, 2 Bush (Ky.), 526, 931
v. Cowherd, 120 Ala. 51, 1497
v. Crawford, 89 Ala. 240, 1314
v. Craycraft, 12 Ind. App. 203, 1417, 1423
v. Craycraft, 39 N. E. 523, 1558
v. Creek, 130 Ind. 139, 1178
v. Creighton, 106 Ky. 42, 1378a
v. Cronbach, 12 Ind. App. 666, 1095, 1257
v. Crominauty, 86 Miss. 464, 1167
v. Crown, &c., Co., 43 Ill. App. 228, 1678
v. Crunk, 119 Ind. 542, 1527, 1577, 1578, 1628, 1841
v. Cumnock, 25 Ky. L. 1330, 994
v. Cunningham, 88 Ill. App. 289, 1716
v. Dancy, 97 Ala. 338, 1702
v. Daniel, 28 Ky. L. 1146, 1689i, 1807, 1814
v. Daniels, 91 S. W. 691, 1254, 1257
v. Davidson, 1 Sneed (Tenn.), 637, 814
v. Davis, 91 Ala. 487, 1288, 1298a, 1327a, 1349
v. Davis, 99 Ala. 593, 1808
v. Deason, 29 Ky. L. 1259, 1589, 1628a, 1628b
v. Deer, 200 U. S. 176, 29, 624
v. Dick, 25 Ky. L. 1831, 1761, 1812, 1850
v. Dickson, 63 Miss. 380, 998
v. Dies, 91 Tenn. 177, 1551
v. Dillard, 114 Tenn. 240, 1316, 1317
v. Donnegan, 111 Ind. 179, 1058, 1059
v. Dooley, 78 Ala. 524, 624, 627
v. Douglass, 69 Miss. 723, 215, 1265, 1638
v. Downey, 18 Ind. App. 140, 1076, 1252
v. Dryden, 39 Ind. 393, 1012
v. Du Bore, 120 Ga. 339, 1396
v. Duncan, 137 Ala. 446, 1443a, 1449
v. Dunkin, 92 Ind. 601, 1255
v. Dunlap, 41 So. 826, 1516
v. Eaden, 29 Ky. L. 365, 1801
v. Eakins, 103 Ky. 465, 1841
v. Earl, 94 Ky. 368, 1689i
v. East St. Louis, 134 Ill. 656, 787
v. East Tennessee, &c., R. Co., 60 Fed. 993, 1133, 1635
v. Echols, 97 Ala. 556, 403, 1413
v. Edmunds, 64 S. W. 727, 1317
v. Ehlert, 87 Ind. 339, 1229, 1241
v. Ellis, 97 Ky. 330, 1637, 1689i
v. Elteridge, &c., Co. (Ky.), 43 S. W. 169, 602
v. Espensecheid, 17 Ind. App. 558, 1628
v. Etzler, 119 Ind. 39, 1193
v. Eubank, 184 U. S. 27, 1663, 1668, 1669
v. Falvey, 104 Ind. 409, 1321, 1699, 1773, 1804, 1806, 1812, 1820
v. Farmer's, &c., 107 Ky. 53, 1471
v. Fawley, 110 Ind. 18, 1279
v. Faylor, 126 Ind. 126, 1377, 1604, 1606, 1608, 1609, 1635, 1645
v. Ferrell, 7 Ky. L. 607, 1848
v. Finley, 86 Ky. 294, 1088
v. Finn, 16 Ky. L. 57, 1591c

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Louisville, &c., R. Co. v. Flanagan, 113 Ind. 488, 372, 378, 1404, 1411, 1476, 1691, 1707, 1729
v. Fleming, 14 Lea (Tenn.), 128, 202, 1280, 1576, 1594, 1823
v. Foley, 94 Ky. 220, 1296
v. Fort, 112 Tenn. 432, 1228
v. Ft. Wayne, &c., Co., 108 Ky. 113, 1526
v. Foster, Ky. 45 S. W. 235, 1096c
v. Fox, 74 Ky. 496, 1788, 1831
v. Frawley, 110 Ind. 18, 1283
v. French, 100 Tenn. 209, 418, 946b
v. French, 69 Miss. 121, 1160, 1167
v. Fulgham, 91 Ala. 555, 1415, 1423
v. Gaines, 3 Fed. 266, 746
v. Gaines (Ky.), 36 S. W. 174, 1594, 1637
v. Ganote, 13 Am. & Eng. R. Cas. 519, 1204
v. Garrett, 8 Lea (Tenn.), 438, 1637, 1802
v. Gerson, 102 Ala. 409, 1695, 1715
v. Gidley, 119 Ala. 523, 1457a, 1743, 1752
v. Gilbert, 88 Tenn. 430, 1500, 1504, 1510
v. Gillen, 76 N. E. 1058, 1303
v. Gilmer, 89 Ala. 534, 1519, 1738
v. Glazebrook, 1 Bush (Ky.), 325, 990
v. Goben, 15 Ind. App. 123, 1823
v. Gobin, 52 Ill. App. 565, 1262
v. Godman, 104 Ind. 490, 1405, 1411, 1470, 1476, 1552, 1691
v. Goetz, 79 Ky. 442, 1153, 1156, 1163
v. Goodbar, 88 Ind. 213, 1215
v. Goodykoontz, 119 Ind. 111, 1368
v. Gordon, 24 Ky. L. 1819, 1813
v. Goulding, 42 So. 854, 1248
v. Gower, 85 Tenn. 465, 1301, 1807
v. Graham, 124 Ind. 89, 1283, 1318
v. Graham, 98 Ky. 688, 1378a
v. Grant, 99 Ala. 325, 1497, 1548
v. Greene (Ky.), 19 Am. & Eng. R. Cas. 95, 1257
v. Guinan, 11 Lea (Tenn.), 98, 1603
v. Hackman (Ky.), 30 S. W. 407, 1161
v. Hailey, 94 Tenn. 383, 1580, 1629
v. Hale, 102 Ky. 600, 1589, 1628a
v. Hall, 93 Ind. 245, 1194
v. Hall, 87 Ala. 708, 1158, 1264, 1267, 1271, 1271a, 1278
v. Hall, 91 Ala. 112, 1271, 1345
v. Hall, 106 Ga. 786, 1749
v. Hall, 115 Ky. 567, 1770, 1782, 1796, 1807, 1820
v. Hally, 63 Fed. 407, 1311
v. Hanning, 131 Ind. 528, 1298a
v. Harlan, 31 Ill. App. 544, 1828
v. Harmon, 23 Ky. L. 871, 1833
v. Harned, 23 Ky. L. 1651, 1545, 1549, 1719
v. Harrigan, 94 Ind. 245, 1201
v. Harris, 9 Lea (Tenn.), 180, 1597, 1637, 1661
v. Hart, 119 Ind. 273, 1238
v. Hartwell, 99 Ky. 436, 1431, 1536
v. Hathaway, 89 S. W. 724, 1257
v. Hawkins, 92 Ala. 241, 1637
v. Head, 80 Ind. 117, 1093
v. Head, 22 Ky. L. 863, 1630a
Louisville, &c., R. Co. v. Heck, 151 Ind. 292, 1306, 1322
v. Hedger, 9 Bush (Ky.), 645, 1516, 1545, 1549, 1719
v. Heilprin, 95 Ill. App. 402, 1734
v. Hendricks, 128 Ind. 462, 1270, 1586, 1644, 1792
v. Herr, 135 Ind. 591, 1377
v. Hicks, 11 Ind. App. 588, 1301
v. Hiltner, 60 S. W. 2, 1282
v. Hinder (Ky.), 30 S. W. 399, 1275, 1278
v. Hirsch, 69 Miss. 126, 1249
v. Hixon, 101 Ind. 337, 1215
v. Hollerbach, 105 Ind. 137, 1058, 1062
v. Holsapple, 12 Ind. App. 301, 1628, 1643
v. Hubbard, 41 So. 814, 1176, 1792, 1850
v. Hughes, 2 Ind. App. 68, 1137
v. Hull, 113 Ky. 561, 1704
v. Hurt, 101 Ala. 34, 1251, 1297, 1704, 1762, 1813
v. Hurt, 13 S. W. 275, 1260
v. Ide, 114 U. S. 52, 650, 650a
v. Ison, 10 Ind. App. 691, 1319
v. Jackson, 106 Tenn. 438, 1326
v. Johnson, 92 Ala. 204, 200, 1637
v. Johnson (Ala.), 19 So. 51, 1637
v. Johnston, 79 Ala. 436, 1689d
v. Jolly, 28 Ky. L. 989, 1252, 1303, 1703
v. Jones, 108 Ind. 551, 1831, 1843
v. Jones, 130 Ala. 456, 1271a, 1378a
v. Jones, 83 Ala. 376, 1278, 1588, 1644
v. Jones, 45 Fla. 407, 1368, 1378a
v. Jones, 100 Ala. 263, 1450
v. Jones, 108 Ind. 551, 1589
v. Japlin, 21 Ky. L. 1380, 1603
v. Katzenberger, 16 Lea, 380, 1320, 1622, 1625
v. Keefer, 146 Ind. 21, 1378c, 1394, 1396, 1398, 1625a
v. Keefer, 146 Ind. 21, 1645
v. Keith, 22 Ky. L. 593, 1841
v. Kelly, 63 Fed. 407, 1296, 1327
v. Kelly, 92 Ind. 371, 214, 1630, 1632, 1638, 1643
v. Kelsey, 89 Ala. 287, 1213
v. Kemper, 147 Ind. 561, 1288a, 1766
v. Kendall, 138 Ind. 313, 1265, 1638, 1689a, 1697
v. Kenley, 92 Tenn. 207, 1795
v. Kentucky, 161 U. S. 677, 322a, 339, 385, 663, 1056b, 1662c, 1669, 1670
v. Kentucky, 183 U. S. 503, 1669
v. Kentucky, &c., Co., 95 Ky. 550, 359, 451, 453
v. Kingman (Ky.), 35 S. W. 264, 1589
v. Klous, 82 Ind. 357, 1214
v. Klyman, 108 Tenn. 304, 1595
v. Koelle, 104 Ill. 455, 419
v. Krey, 16 Ky. L. 797, 1175, 1850
v. Krinning, 87 Ind. 351, 1231
v. Lange, 13 Ind. App. 337, 1243a
v. Law (Ky.), 21 S. W. 648, 1296
v. Lee, 47 Ill. App. 384, 1264
v. Lellyett, 114 Tenn. 368, 1056a, 1085, 1086, 1090
v. Letson, 2 How. (U. S.) 497, 23, 27, 649
v. Liebfried, 92 Ky. 407, 629, 1096
v. Liebfried (Ky.), 50 Am. & Eng. R. Cas. 202, 949

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Louisville, &c., R. Co. v. Logan, 88 Ky. 232, 200, 1577, 1637
v. Logsdon, 118 Ky. 600, 1254
v. Longes, 6 Ind. App. 288, 1257
v. Long, 94 Ky. 410, 1635
v. Louisville City Ry. Co., 2 Duv. (Ky.) 175, 6, 32, 931
v. Louisville Trust Co., 174 U. S. 552, 28, 481, 649
v. Louisville, 8 Bush (Ky.), 415, 1077, 1082, 1092
v. Lowe, 66 S. W. 736, 1298a, 1316
v. Lucas, 119 Ind. 583, 1590, 1590a, 1628, 1641
v. Lynch, 147 Ind. 165, 1299
v. Lyons, 104 Ky. 23, 1637
v. McClish, 115 Fed. 268, 1689l, 1793, 1794
v. McCorkle, 12 Ind. App. 691, 1243, 1243a, 1244
v. McElwain (Ky.), 34 S. W. 236, 1375
v. McEwan (Ky.), 31 S. W. 465, 1096cx, 1639
v. McGuire, 79 Ala. 395, 1403, 1572
v. McVay, 98 Ind. 391, 208, 212, 220, 222, 297, 298, 1689h
v. Mahan, 8 Bush (Ky.), 184, 1651, 1652, 1659
v. Mahony, 7 Bush, 235, 1378
v. Malone, 109 Ala. 509, 1244
v. Manchester Mills, 88 Tenn. 653, 1504, 1509
v. Marbury Lumber Co., 132 Ala. 520, 1242, 1245a, 1701
v. Marbury Lumber Co., 125 Ala. 237, 1245a
v. Markee, 103 Ala. 160, 1158, 1298a, 1351
v. Mason, 24 Ky. L. 1623, 1696
v. Martin, 113 Tenn. 266, 1155, 1320
v. Mask, 64 Miss. 738, 1628
v. Mason, 79 Tenn. 116, 1401, 1728, 1738
v. Mason, 24 Ky. L. 1623, 1773
v. Maybin, 66 Miss. 83, 1637
v. Melton, 2 Lea (Tenn.), 262, 1159, 1205
v. Meyer, 78 Ala. 597, 1435, 1438, 1502, 1526
v. Milam, 9 Lea (Tenn.), 223, 1160
v. Miles, 100 Ky. 84, 1596
v. Miller, 109 Ala. 500, 1243a
v. Miller, 141 Ind. 533, 1327, 1378, 1689l, 1807, 1813
v. Milton, 14 B. Mon. 75, 1180, 1204
v. Mississippi, &c., R. Co., 92 Tenn. 681, 360, 361, 974
v. Mississippi, 133 U. S. 587, 690, 1358d, 1665, 1671
v. Mitchell (Ky.), 29 S. W. 860, 1245
v. Mitchell, 87 Ky. 327, 1827
v. Mobile, &c., R. Co., 124 Ala. 162, 1090, 1096
v. Molloy, 28 Ky. L. 1113, 1850
v. Montgomery (Ky.), 32 S. W. 738, 1214
v. Morgan, 114 Ala. 449, 1378a
v. Mothershed, 97 Ala. 261, 1352, 1356, 1813
v. Mount, 101 S. W. 1182, 1801
v. Murphy, 9 Bush (Ky.), 522, 1262
v. Muscat, 41 So. 302, 1175
v. Nash, 118 Ala. 477, 624, 627
v. Nashville, &c., R. Co., 1 Interst. Com. Com. 64, 1666
Louisville, &c., R. Co. v. Natchez, &c., Co., 67 Miss. 399, 1242, 1695
v. Nicholai, 4 Ind. App. 119, 1454, 1502, 1661
v. Nitsche, 126 Ind. 229, 1226, 1227, 1231
v. Northington, 91 Tenn. 56, 1806
v. Oden, 80 Ala. 38, 1464, 1504, 1510, 1510a
v. Odill, 96 Tenn. 61, 1440, 1443a, 1449, 1459, 1487
v. Orr, 121 Ala. 489, 1792, 1794
v. Orr, 91 Ky. 109, 526, 1089, 1357, 1378
v. Orr, 84 Ind. 50, 1288a, 1696, 1697
v. Owens, 93 Ky. 201, 1510
v. Palmer, 13 Ind. App. 161, 1241
v. Palmes, 109 U. S. 244, 525, 748
v. Park, 96 Ky. 580, 1585
v. Parke, 96 Ky. 580, 1096cs
v. Pearce, 142 Ala. 680, 1771
v. Pearson, 97 Ala. 211, 1338, 1689l, 1700
v. Pedigo, 108 Ind. 481, 1585, 1589
v. Penrod, 108 Ky. 172, 1155
v. Phillips, 112 Ind. 59, 1093, 1094, 1096at, 1153, 1172, 1176, 1258
v. Phillips (Miss.), 12 So. 835, 1211
v. Pittsburgh, &c., Co., 111 Ky. 960, 949, 1685
v. Poe (Ky.), 72 S. W. 6, 1096bq
v. Popp (Ky.), 27 S. W. 992, 1255, 1260
v. Porter, 97 Ind. 267, 1198, 1199
v. Power, 119 Ind. 269, 416, 939, 945
v. Pritchard, 131 Ind. 564, 1105, 1176
v. Queen City, &c., Co. (Ky.) 35 S. W. 626, 1459, 1470, 1707
v. Quinn, 14 Lea (Tenn.), 65, 1055
v. Quinn, 14 Ind. App. 554, 1288a, 1311
v. Quinn, 39 So. 616, 1820
v. Railroad Commission, 19 Fed. 679, 658, 677, 679, 705, 1663, 1666, 1673
v. Ray, 101 Tenn. 1, 1618, 1837
v. Redmonds, 91 S. W. 722, 1248, 1257
v. Reese, 85 Ala. 497, 1221, 1224, 1242, 1243
v. Renicker, 8 Ind. App. 404, 1309, 1696
v. Richards, 100 Ala. 265, 1166
v. Richardson, 66 Ind. 43, 1221
v. Richardson, 100 Ala. 232, 1356, 1357, 1795
v. Ricketts, 96 Ky. 44, 1628
v. Ritter, 85 Ky. 368, 1644
v. Roberts, 13 Ind. App. 692, 1241, 1243
v. Roehling, 11 Ill. App. 264, 648
v. Rush, 127 Ind. 545, 1172, 1378
v. Ryan, 64 Miss. 399, 994, 995, 1033, 1046a
v. Sale, 93 S. W. 613, 1046a
v. Sanders, 86 Ky. 259, 1371, 1373
v. Sanders, 44 S. W. 229, 1378a
v. Sanders, 29 Ky. L. 212, 1850
v. Sandford, 117 Ind. 265, 1271, 1288a, 1311, 1689c, 1697
v. Saucier (Miss.), 1 So. 511, 623
v. Scanlon, 22 Ky. L. 1400, 1315a
v. Schmidt (Ky.), 52 S. W. 835, 505

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Louisville, &c., R. Co. v. Schmidt, 147 Ind. 638, 1157
v. Schmidt, 134 Ind. 16, 1264
v. Schmidt, 81 Ind. 264, 1264
v. Scott, 108 Ky. 392, 1604
v. Schuster (Ky.), 35 Am. & Eng. R. Cas. 407, 1156
v. Sears, 11 Ind. App. 654, 1259, 1261, 1262
v. Shanklin, 94 Ind. 297, 1193
v. Shanks, 94 Ind. 598, 1256, 1801
v. Sherrod, 84 Ala. 178, 364, 1500, 1504, 1510
v. Sickings, 5 Bush, 1, 1633
v. Simpson, 111 Ky. 754, 1699
v. Smith, 121 Ind. 353, 222, 302
v. Smith, 128 Fed. 1, 948
v. Smith, 141 Ala. 335, 949
v. Smith, 91 Ind. 119, 1092, 1102, 1213
v. Smith, 58 Ind. 575, 1207
v. Smith, 84 S. W. 755, 1248
v. Smith, 107 Ky. 178, 1264
v. Smitha, 40 So. 117, 1553, 1719, 1746, 1753
v. Snyder, 117 Ind. 435, 1231, 1586, 1587, 1633, 1635, 1644, 1806
v. Southworth, 38 Ill. App. 225, 548
v. Sowell, 90 Tenn. 17, 1504, 1510
v. Spain, 61 Ind. 460, 1184, 1198, 1214
v. Spalding (Ky.), 22 Am. & Eng. R. Cas. 418, 1538
v. Spencer, 149 Ill. 97, 1239
v. Stacker, 86 Tenn. 343, 1628
v. Stammers, 20 Ky. L. 688, 1096ch
v. Stanger, 7 Ind. App. 179, 1096cn, 1264
v. State, 25 Ind. 177, 31, 389, 740, 741
v. State, 3 Head (Tenn.), 523, 709, 718, 719, 787, 1096al, 1099, 1105
v. State, 8 Heisk. (Tenn.), 663, 738, 849
v. State, 122 Ind. 443, 786, 788a, 790
v. State, 8 Ind. App. 377, 790
v. State, 66 Miss. 662, 1665
v. Steele, 6 Ind. App. 183, 1512
v. Steenberger, 24 Ky. L. 761, 1836
v. Stephens, 13 Ind. App. 145, 1166
v. Stephens (Ky.), 29 S. W. 14, 947
v. Stevens, 87 Ind. 198, 1226
v. Stewart, 128 Ala. 313, 1173, 1850
v. Stewart, 78 Miss. 600, 1734
v. Stockyards Co., 30 Ky. L. 18, 1668
v. Stommel, 126 Ind. 35, 1160, 1165, 1167, 1178, 1179b
v. Stuber, 108 Fed. 934, 1303a, 1578a
v. Stutts (Ala.), 17 So. 29, 1282, 1290, 1314
v. Stutts, 105 Ala. 368, 1345
v. Sullivan, 81 Ky. 624, 1172, 1255, 1637
v. Sullivan, &c., R. Co., 138 Ala. 379, 1238, 1245b
v. Sumner, 106 Ind. 55, 112, 362, 386, 387, 852, 928, 941, 1799, 1188
v. Taylor, 96 Ky. 241, 945
v. Tarter, 19 Ky. 229, 1433, 1435
v. Tennessee Brewing Co., 96 Tenn. 677, 1450
Louisville, &c., R. Co. v. Thomas, 106 Ind. 10, 1199, 1207
v. Thompson, 18 B. Mon. (Ky.) 735, 949, 987, 988
v. Thompson, 107 Ind. 442, 1286, 1578, 1584, 1604, 1606, 1609, 1610, 1701, 1776
v. Thompson, 64 Miss. 584, 1827
v. Tinkham, 44 S. W. 439, 1257
v. Touart, 97 Ala. 514, 1492, 1505, 1516, 1758
v. Trammell, 93 Ala. 350, 1257, 1378
v. Treadway, 142 Ind. 475, 1453, 1579, 1641
v. Treadway, 143 Ind. 689, 1590, 1689f
v. Trent, 79 Tenn. 82, 1748
v. Trent, 16 Lea (Tenn.), 420, 1737
v. Tucker, 105 Ky. 492, 1315f
v. Turner, 100 Tenn. 213, 1598, 1629
v. Utz, 133 Ind. 265, 335, 338, 1294
v. Victory, 47 S. W. 440, 1268
v. Vincent, 116 Tenn. 317, 656a
v. Vinyard, 79 N. E. 384, 1243a
v. Vittitoe, 41 S. W. 269, 1254
v. Wainscott, 3 Bush (Ky.), 149, 1204
v. Walker, 110 Ky. 961, 1564
v. Wallace, 91 Tenn. 35, 1824
v. Wagner, 153 Ind. 420, 1356
v. Wangelin, 132 U. S. 599, 650, 650a
v. Ward, 61 Fed. 927, 1327, 1332
v. Warfield, 30 Ky. L. 352, 1548d
v. Warren County, 5 Bush, 243, 739
v. Wathen, 23 Ky. L. 2128, 1755
v. Watson, 90 Ala. 68, 1294
v. Weams, 80 Ky. 420, 1402
v. Weaver, 9 Lea (Tenn.), 38, 1596, 1655, 1658
v. Webb, 90 Ala. 185, 1157, 1171, 1175
v. White, 94 Ind. 257, 1187
v. Whitley County Ct. 95 Ky. 215, 1076
v. Whitman, 79 Ala. 328, 1637
v. Widman, 10 Ind. App. 92, 1512, 1714
v. Will, 23 Ky. 1961, 1361a
v. Williams, 20 Ind. App. 576, 1166a, 1179a, 1818
v. Williams, 69 Miss. 631, 1257, 1260
v. Williams, 95 Ky. 199, 1279
v. Williams, 113 Ala. 402, 1366
v. Wilsey, 11 Ky. L. 419, 1823
v. Wilson, 138 U. S. 501, 518, 585, 605
v. Wilson, 132 Ind. 517, 1467
v. Wilson, 88 Tenn. 316, 1282, 1580
v. Wilson, 119 Ind. 352, 1415, 1423
v. Wilson, 132 Ind. 517, 1467, 1560, 1564
v. Wolfe, 80 Ky. 82, 1590, 1689c, 1771
v. Wolfe, 128 Ind. 347, 1637, 1823
v. Wood, 113 Ind. 544, 1628, 1689l, 1757, 1799, 1806
v. Woods (Ala.), 17 So. 41, 1296, 1314
v. Woods, 105 Ala. 561, 1792
v. Woods, 115 Ala. 527, 1814
v. Woolfork, 30 Ky. L. 569, 1849
v. Worley, 107 Ind. 120, 1194

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Louisville, &c., R. Co. v. Wright, 115 Ind. 378, 1271, 1283, 1796
v. Wright, 134 Ind. 509, 1378a
v. Wright, 18 Ind. App. 125, 1603
v. Wynn, 88 Tenn. 320, 1497, 1545, 1548
v. Ynlestra, 21 Fla. 700, 1689g
Louisville, &c., Turnpike Co. v. Ballard, 2 Metc. (Ky.) 165, 1180
v. Meriwether, 5 B. Monr. (Ky.) 13, 142, 153
v. Nashville, &c., Turnpike Co., 2 Swan (Tenn.), 282, 930
Louisville, &c., Co. v. Rogers, 20 Ind. App. 594, 1457, 1515
Louk v. Woods, 15 Ill. 256, 1014
Lounsbury v. Iowa, &c., R. Co., 49 Iowa, 255, 1071, 1074
Loury v. Farmers', &c., Co., 172 N. Y. 137, 307
Lovegrove v. London, &c., R. Co., 16 C. B. (N. S.) 669, 1689f
Lovejoy, &c., R. Co. v. Boston, &c., R. Co., 125 Mass. 79, 1269, 1296, 1312
Loveland v. Burke, 120 Mass. 139, 1522
Lovelock v. King, 1 M. & Rob. 60, 1060
Lovell v. De Bardelaben, &c., Co., 90 Ala. 13, 1261
v. London, &c., R. Co., 45 L. Q. B. 476, 1653
Loveman v. Birmingham, &c., Co., 43 So. 411, 1775, 1846
Lovering v. Union, &c., Co., 42 Mo. 88, 1478
Lovergan v. Lafayette St. R. Co., 3 Am. Electl. Cas. 273, 1096r
Lovett v. German Reformed Church, 12 Barb. (N. Y.) 67, 596
v. Hobbs, 2 Shower, 127, 1410, 1466
v. Salem, &c., R. Co., 9 Allen (Mass.), 557, 1255, 1262
Lovimer v. St. Paul City R. Co., 48 Minn. 391, 1096cd
Low v. Central Pacific R. R. Co., 52 Cal. 53, 481
v. Concord R. Co., 63 N. H. 557, 994, 995, 1052
v. Connecticut, &c., R. Co., 45 N. H. 370, 14, 102, 269
v. Galena, &c., R. Co., 18 Ill. 324, 392, 960, 1054, 1104
v. Grand Trunk, &c., R. Co., 72 Me. 313, 1248
v. Railroad Co., 63 N. H. 557, 995
v. Rees Printing Co., 41 Neb. 127, 1336
v. Studabaker, 110 Ind. 57, 119, 126, 127
Low Moor Iron Co. v. LaBiarica, 55 S. E. 532, 1366a
Lowe v. Alabama, &c., R. Co., 81 Miss. 9, 1689g
v. Chicago, &c., R. Co. (Iowa) 56 N. W. 519, 1378
v. Chicago, &c., R. Co., 89 Ia. 420, 1378a, 1795
v. East Tennessee, &c., R. Co., 90 Ga. 85, 1483
v. Edgefield, &c., R. Co., 1 Head. (Tenn.), 659, 111, 113
v. Lowe, 1 Tenn. Ch. 515, 583
v. Moss, 12 Ill. 477, 1485
Lowell v. Boston, 111 Mass. 454, 814
Lowell v. Boston, &c., R. Co., 23 Pick. 24, 1063
v. Commissioners, 146 Mass. 403, 1724
Lowell Wire Fence Co. v. Sargent, 8 Allen, 189, 1401, 1445
Lowell, &c., Bank v. Inhabitants of Winchester, 8 Allen, 109, 902
Lowell, &c., R. Co. v. Boston, &c., R. Co., 7 Gray (Mass.), 27, 922
Lowenberg v. Railway Co., 56 Ark. 439, 1451, 1569
Lowenburg v. Jones, 56 Minn. 688, 1444
Lower v. Chicago, &c., R. Co., 59 Iowa, 563, 38, 370, 958, 961, 973, 1041
v. Segal, 59 N. J. L. 66, 1373
Lowery v. Manhattan, &c., R. Co., 99 N. Y. 158, 1263, 1300
v. Brooklyn City R. Co., 76 N. Y. 28, 1096cc
Lowndes v. Garnett, &c., Co., 33 L. J. Ch. 418, 274
Lowne v. American Fire Insurance Co., 6 Paige (N. Y.), 482, 309
Lowney v. New Brunswick, &c., R. Co., 78 Me. 479, 1223, 1242
Lowrey v. Brooklyn City R. Co., 4 Abbott's New Cases, 32, 1096cb
Lowry v. Chicago, &c., R. Co., 46 Fed. 88, 652
v. Commercial, &c., Bank, &c., Taney's Dec. (U. S.) 310, 94
v. Coster, 91 Ill. 182, 1801
v. Francis, 2 Yerg. 534, 806
v. Inman, 46 N. Y. 119, 189
v. Parsons, 52 Ga. 356, 189
v. Rainwater, 70 Mo. 152, 666
Lowten v. Mayor, 2 Merivale, 393, 73
Lowther v. Carlton, 2 Atk. 242, 226
Loyd v. Hannibal, &c., R. Co., 53 Mo. 509, 1628, 1699
Lozier v. New York, &c., Co., 42 Barb. (N. Y.) 465, 1049, 1055
Lubbock v. Inglis, 1 Stark. 83, 1526
Lubrano v. Atlantic Mills (R. I.), 32 Atl. 205, 1375
Luby v. Hudson River, &c., Co., 17 N. Y. 131, 218
Lucas v. Board of Commissioners, 44 Ind. 524, 868
v. Kentucky, &c., R. Co. (Ky.) 45 Am. & Eng. R. Cas. 520, 1183
v. Milliken, 139 Fed. 816, 156, 173
v. Milwaukee, &c., R. Co., 33 Wis. 41, 1582, 1629
v. New Bedford, &c., R. Co., 6 Gray, 64, 1578, 1628
v. New York, &c., R. Co., 21 Barb. 245, 1371
v. Southern R. Co., 122 Ala. 529, 1694
v. State, 96 Ala. 51, 734
v. White Line Transfer Co., 70 Iowa, 541, 370, 481
Lucas County v. Hunt, 5 Ohio St. 488, 751
Lucco v. New York, &c., R. Co., 87 Hun, 612, 1296
Luce v. Chicago, &c., R. Co., 67 Iowa, 75, 1344, 1355
Lucker v. Commonwealth, 4 Bush, 440, 1698
v. Phœnix Ins. Co., 62 Fed. 769, 653
v. Phœnix, &c., Co., 66 Fed. 161, 655
Luckle v. Chicago, &c., R. Co., 76 Mo. 639, 1193

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Lucky, &c., Co. v. Abraham, 26 Ore. 282, 220, 286
Lucy v. Chicago, &c., R. Co., 64 Minn. 7, 1591, 1591c
Ludd v. Wilkins, 118 Ga. 525, 1312
Ludlow v. Cincinnati Southern, 78 Ky. 357, 785
v. Hudson River R. Co., 6 Lans. (N. Y.) 128, 937, 977
v. Hurd, 1 Dis. (Ohio) 552, 495, 497, 498, 520
v. New York, &c., R. Co., 12 Barb. (N. Y.) 440, 942
Ludsey v. Pennsylvania R. Co., 26 App. D. C. 503, 1604
Ludtke v. Lake Shore, &c., R. Co., 24 Ohio Circ. Ct. 120, 1190, 1794
Ludwig v. Gorsuch, 154 Pa. St. 413, 1266
v. Metropolitan St. R. Co., 71 App. Div. (N. Y.) 210, 1096cm
Luebke v. Berlin, &c., Works, 88 Wis. 442, 1283
Luggie v. St. Louis, &c., R. Co., 62 Mo. 425, 1716
Luigenfelter v. Baltimore, &c., R. Co., 154 Ind. 49, 1250
Luke v. Calhoun, 52 Ala. 115, 1366a
v. Lyde, 2 Burr. 882, 1532
Luker v. Dennis, 7 Ch. 227, 360
Luling v. Atlantic, &c., Ins. Co., 45 Barb. (N. Y.) 510, 321
v. Racine, 1 Biss. 314, 903
Lumbard v. Aldrich, 8 N. H. 31, 42, 195, 398
Lumber Co. v. Burroughs, 62 N. J. L. 469, 1541
Lumbermen's, &c., Co. v. St. Paul, 77 Minn. 410, 1003b
Lumbley v. Wabash, &c., R. Co., 76 Fed. 66, 1377
Lumsden's Case, L. R. 4 Ch. App. C. 31, 93
Lumsden v. Milwaukee, 8 Wis. 485, 1015
Lund v. Wheaton, &c., Co., 50 Minn. 36, 98
Lundy v. Central Pac. R. Co., 66 Cal. 191, 1596, 1598
Lung Chung v. Northern Pac. Ry. Co., 19 Fed. 254, 621, 1371
Lunt v. London, &c., R. Co., L. R. 1 Q. B. 277, 1157, 1171
v. Lunt, 71 Me. 377, 510
Lupton v. Stephenson, 11 Ir. Eq. 484, 561
Lusby v. Atchison, &c., R. Co., 41 Fed. R. 181, 1582, 1629
v. Kansas City, &c., R. Co., 73 Miss. 360, 930
Luse v. Isthmus, &c., R. Co., 6 Ore. 125, 285, 411, 491
Lush v. Riggs (Neb.), 102 N. W. 88, 20
Lushington v. Sewell, 1 Sim. 435, 31
Lusted v. Chicago, &c., R. Co., 71 Wis. 391, 1377
Lustig v. International Nav. Co., 78 Misc. (N. Y.) 802, 1653
v. New York, &c., R. Co., 65 Hun (N. Y.), 547, 1628b
Lutcher v. Dyson, 30 S. W. 61, 1820
Luther v. Saylor, 8 Mo. App. 424, 1065
v. Winnisimmet Co., 9 Cush. (Mass.) 171, 977
Lutrano v. Atlantic Mills, 19 R. I. 129, 1361a
Lutz v. Atlantic, &c., R. Co. (N. Mex.) 16 L. R. A. 819, 1702
Lux v. Haggin, 69 Cal. 255, 1049
Luxton v. North River Bridge Co., 147 U. S. 337, 980
v. North River Bridge Co., 153 U. S. 525, 1057c, 1663
Lycoming Fire Ins. Co. v. Wright, 55 Vt. 526, 355, 570
Lyde v. Eastern, &c., R. Co., 36 Beav. 10, 393, 415
Lydian Monarch, The, 23 Fed. 208, 1510, 1736
Lydick v. Baltimore, &c., R. Co., 17 W. Va. 427, 363, 945
Lydney, &c., Co. v. Bird, L. R. 33 Ch. Div. 85, 10, 11
Lyford v. North Pac., &c., R. Co., 92 Cal. 93, 420
Lygo v. Newbold, 9 Exch. 302, 1578
Lyle v. Barker, 5 Bin. (Pa.) 457, 1705
v. Chicago, &c., R. Co., 55 Minn. 223, 1020, 1022
v. McKeesport, &c., R. Co., 131 Pa. St. 437, 924, 969
Lyles v. Lescher, 108 Ind. 382, 409
Lyman v. Boston, &c., R. R. Co., 4 Cush. (Mass.) 288, 44, 1223, 1701
v. Boston, &c., R. Co., 66 N. H. 200, 1153, 1160, 1163, 1792
v. Central Vermont R. Co., 59 Vt. 167, 537, 571, 573, 576
v. Philadelphia, &c., R. Co., 4 Houst. (Del.) 583, 1151
v. Southern R. Co., 132 N. Car. 721, 1171
v. Suburban R. Co., 190 Ill. 320, 942, 943
v. White River, &c., Co., 2 Aik. (Vt.) 255, 203
Lynam v. Anderson, 9 Neb. 367, 788
v. Union R. Co., 114 Mass. 83, 1094, 1095, 1096cp, 1096cq
Lynch, Ex parte, 2 Hill, 45, 918
Lynch v. Allyn, 160 Mass. 248, 1338, 1347
v. Boston, &c., R. Co., 159 Mass. 536, 1290, 1298a, 1345, 1356
v. Burns, 79 S. W. 1084, 1828
v. Chicago, &c., R. Co., 8 Ind. App. 516, 1290, 1296
v. Eastern, &c., R. Co., 57 Wis. 430, 111a, 851b, 886
v. Forbes, 161 Mass. 302, 970
v. Metropolitan, &c., R. Co., 90 N. Y. 77, 214, 1265, 1603, 1662
v. Nurdin, 1 Q. B. 29, 1259
v. Railroad Co., 112 Mo. 420, 1096bv
v. Railroad, 8 App. Div. (N. Y.) 458, 1589
v. St. Joseph, &c., R. Co., 111 Mo. 601, 1154, 1250, 1761
v. The Economy, 27 Wis. 69, 713
Lynchburg v. Slaughter, 75 Va. 57, 831
Lynde v. Anglo-Italian, &c., Co. (1896) 1 Ch. 178, 13a
v. Columbus, &c., R. Co., 57 Fed. 993, 515
v. County, 16 Wall. (U. S.) 6, 485, 898
Lynn v. Southern Pac. R. Co., 103 Cal. 7, 1589
v. Sugar Ref. Co., 104 N. W. 577, 1278a
Lyndeborough Glass Co. v. Massachusetts Glass Co., 111 Mass. 315, 257

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390: *Vol. IV,* §§ 1391–1851.]

Lyndon, &c., Co. v. Lyndon, &c., Inst., 63 Vt. 581, 283
Lyndsay v. Connecticut, &c., R. Co., 27 Vt. 643, 1214, 1463
Lyng v. Michigan, 135 U. S. 161, 667, 759
Lynn v. Mount Savage, &c., R. Co., 34 Md. 603, 416, 946
v. Southern Pac. R. Co., 103 Cal. 7, 1630, 1639
Lynn, &c., R. Co. v. Boston, &c., R. Co., 114 Mass. 88, 966, 1057, 1135
Lyon v. American Screw Co., 16 R. I. 472, 172, 637
v. Boston, &c., R. Co., 107 Fed. 386, 1361a
v. Charleston, &c., R. Co., 56 S. E. 18, 1333a, 1344, 1346
v. Brooklyn, 28 Barb. 609, 782
v. Fishmonger's Co., L. R. 1 App. Cas. 662, 977
v. Green Bay, &c., R. Co., 42 Wis. 538, 985, 986, 998, 1005, 1018
v. Jerome, 26 Wend. 485, 258, 959
v. McDonald, 78 Tex. 71, 972, 1033
v. Manhattan R. Co., 142 N. Y. 298, 1699
v. Mells, 5 East, 428, 1478
v. New York, S. & W. R. Co., 14 Daly (N. Y.), 489, 509, 514
Lyons v. Allen, 11 App. (D. C.) 543, 1377
v. Bay Cities, &c., R. Co., 115 Mich. 114, 1096cq
v. Boston, &c., R. Co., 181 Mass. 551, 1234
v. Erie R. Co., 57 N. Y. 489, 1804
v. Hill, 46 N. H. 49, 1528, 1530
v. Hoffnung, L. R. 15 App. Cas. 391, 1543
v. Munson, 99 U. S. 684, 898
v. Orange, &c., R. R. Co., 32 Md. 18, 17
v. People, 68 Ill. 271, 732
v. Texas, &c., R. Co., 36 S. W. 1007, 1789
Lyons-Thomas Hardware Co. v. Perry Stove Co., 83 Tex. 143, 603
Lytle v. Galveston, &c., R. Co., 99 S. W. 396, 1675
v. State, 22 How. 193, 809
Lyttle v. Chicago, &c., R. Co., 84 Mich. 289, 1285, 1295, 1314, 1327a

M.

McAboy's Appeal, 107 Pa. St. 548, 374, 923
McAbsher v. Richmond, &c., R. Co., 108 N. Car. 398, 1423
McAleer v. Clay County, 42 Fed. 665, 918
McAllister v. Chicago, &c., R. Co., 74 Mo. 351, 1395, 1461, 1537, 1551, 1552
McAllilley v. Horton, 75 Ala. 491, 1054
McAllister v. Burlington, &c., R. Co., 64 Iowa, 395, 1257
v. Indianapolis, &c., R. Co., 15 Ind. 11, 127
v. Peoples R. Co., 4 Pen. (Del.) 272, 1812
v. Plant, 54 Miss. 106, 71, 490, 501
McAlpin v. Jones, 10 La. Ann. 552, 555, 570
v. Powell, 70 N. Y. 126, 1259
McAlpin v. Grand Trunk R. Co., 38 U. C. Q. B. 446, 1190
McAndrew v. Whitlock, 52 N. Y. 40, 1527
McAndrews v. Burns, 39 N. J. 117, 1321
v. Chicago, &c., R. Co., 222 Ill. 232, 1689a, 1689f
v. Tippett, 39 N. J. Law, 105, 1061, 1062
McArthur v. Kelly, 5 Ohio, 139, 982
v. McEachin, 64 N. Car. 454, 1004
v. Morgan, 49 Conn. 347, 1045
v. Sears, 21 Wend. 190, 1455, 1457, 1459
v. Times Printing Co., 48 Minn. 319, 14
McArthur Bros. Co. v. Troutt, 88 Ill. App. 638, 1315d
McAuley v. Columbus, &c., R. Co., 83 Ill. 348, 20, 52, 322, 957
v. Western Vt. R. Co., 33 Vt. 311, 949, 1049, 1051
McAunich v. Mississippi, &c., R. Co., 20 Ia. 338, 1360
McAvity v. Lincoln Pulp, &c., Co., 82 Me. 504, 90, 91, 280
McAvoy v. Long, 13 Ill. 147, 1059
McBeath v. Wabash, &c., R. Co., 20 Mo. App. 445, 1516, 1549
McBride v. Northern Pacific R. Co., 19 Ore. 64, 1166, 1701
v. Union Pac. R. Co., 3 Wyo. 247, 1316
McBrien v. Shanly, 24 U. C. C. P. 28, 1061
McBryde v. Montesano, 7 Wash. 69, 845
McCabe v. Board, &c., 46 Ind. 380, 195
v. Chicago, &c., R. Co., 88 Wis. 531, 1248, 1250
v. Maysville, &c., R. Co., 112 Ky. 861, 444
v. Montana Cent. R. Co., 30 Mont. 323, 1273
McCabe, &c., Const. Co. v. Wilson, 87 Pac. 324, 1271
McCafferty v. Pennsylvania R. Co., 193 Pa. St. 339, 1369
v. Spuyten, &c., R. Co., 61 N. Y. 178, 1063, 1186
McCaffery v. Georgia Southern R. Co., 69 Ga. 622, 1752
v. St. Louis, &c., R. Co., 192 Mo. 144, 1759
McCaffrey v. Smith, 41 Hun (N. Y.), 117, 1085
McCaig v. Erie, &c., R. Co., 8 Hun, 599, 1221
McCain v. Chicago, &c., R. Co., 76 Fed. 125, 1298a
McCall v. Brock, 5 Strob. 119, 1718
v. Byram, &c., Co., 6 Conn. 428, 241, 262, 264, 267, 491
v. California, 136 U. S. 104, 690, 754, 759, 765, 1663, 1664, 1671
v. Chamberlain, 13 Wis. 637, 471, 670b, 1181, 1190
v. Pacific, &c., Co., 123 Cal. 42, 1064
v. People, 136 U. S. 104, 30
McCallie v. Chattanooga, 3 Head (Tenn.), 317, 822, 824
v. Walton, 37 Ga. 611, 602
McCallion v. Hibernia, &c., Society, 70 Cal. 163, 18

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McCalmont v. Philadelphia, &c., R. Co., 7 Fed. 386, 482, 493, 563
McCampbell v. Cunard, &c., Co., 144 N. Y. 552, 1327
McCance v. London, &c., R. Co., 7 H. & N. 477, 1491, 1510, 1627
McCandless' Appeal, 70 Pa. St. 210, 960, 1056
McCandless v. Richmond, &c., R. Co., 38 S. Car. 103, 445, 1223
McCann v. American Cent. Ins. Co., 4 Neb. 256, 111a
v. Baltimore, &c., R. Co., 20 Md. 202, 1507
v. Chicago, &c., R. Co., 105 Fed. 480, 1179b, 1179l
v. Chicago, &c., R. Co., 96 Wis. 664, 1209
v. Consol. Trac. Co., 59 N. J. L. 481, 1096cn
v. Eddy, 133 Mo. 205, 1424, 1438, 1439, 1447, 1670
v. First Nat. Bank, 112 Ind. 354, 87
v. Kings County R. Co., 19 N. Y. Supp. Ct. 668, 1064
v. Waltham, 163 Mass. 344, 1338
McCanna v. New England, &c., R. Co., 20 R. I. 439, 1166
McCardle, Ex parte, 7 Wall. 506, 1053
McCarn v. International, &c., R. Co., 84 Tex. 352, 1434
McCarrick v. Kealy, 70 Conn. 642, 1689l
McCarthy v. Boston, &c., R. Co. (Mass.) 42 N. E. 568, 1274
v. Bristol, &c., Co., Ir. L. R. 10 C. L. 384, 1768
v. Chicago, &c., R. Co., 18 Kan. 46, 1364, 1366, 1375
v. Chicago, &c., R. Co., 41 Iowa, 432, 1603
v. Detroit Citizens St. R. Co., 120 Mich. 400, 1096cj
v. Dublin, &c., R. Co., Irish, 3 C. L. 511, 727a
v. Interurban St. R. Co., 88 N. Y. S. 388, 1096cy
v. Lavasche, 89 Ill. 270, 182
v. Louisville, &c., R. Co., 102 Ala. 193, 1449, 1454, 1492
v. Metropolitan Board, &c., L. R. 8 C. P. 119, 1086
v. Miskeon, 22 Minn. 90, 1803
v. Muir, 50 Ill. App. 510, 218
v. Peake, 18 How. Pr. 138, 553
v. Railroad Co., 102 Ala. 193, 1535
v. St. Louis Transit Co., 108 Mo. App. 317, 1800
McCartney v. Chicago, &c., R. Co., 112 Ill. 611, 20, 51, 929, 1096b
v. Evanston, &c., R. Co., 112 Ill. 611, 1076
McCarty's Appeal, 110 Pa. St. 379, 569
McCarty v. Baltimore, &c., R. Co., 20 Ohio C. C. 536, 1315c
v. Consolidated R. Co. (Conn.) 63 Atl. 725, 1096cj
v. Gulf, &c., Co., 79 Tex. 33, 1512
v. Lockport, 13 App. Div. (N. Y.), 494, 1799
v. New York, &c., R. Co., 30 Pa. St. 247, 1464
v. St. Paul, &c. R. Co., 31 Minn. 278, 423, 937
McCarty v. Selinsgrove, &c., R. Co., 35 Leg. Intel. 410, 140
v. Selinsgrove R. Co., 87 Pa. St. 332, 141
v. State, 37 Miss. 411, 730
v. State, 1 Wash. St. 377, 734
McCaslin v. Lake Shore, &c., R. Co., 93 Mich. 553, 1643, 1697
v. State, 99 Ind. 428, 806
McCauley v. Brooks, 16 Cal. 11, 1025
v. Davidson, 13 Minn. 162, 1426
v. Keller, 130 Pa. St. 53, 1059
v. Norcross, 155 Mass. 584, 1353
v. Rhode Island Co., 25 R. I. 558, 1759
v. Tennessee, &c., R. Co., 93 Ala. 356, 1573
McCawley v. Furness B. Co., L. R. 8 Q. B. 57, 1605, 1608, 1645
McCay v. Ohio River R. Co., 34 W. Va. 65, 1594
McCharles v. Horn, &c., R. Co., 19 Utah, 470, 1292, 1296
McChesney v. Chicago, 213 Ill. 592, 1096am
v. Panama R. Co., 49 N. Y. S. 148, 1322
McChord v. Ohio, &c., R. Co., 13 Ind. 220, 89
McClain v. Brooklyn City R. Co., 116 N. Y. 459, 1094, 1095, 1096aq, 1096cb, 1096cq
v. Chicago, &c., R. Co., 90 Iowa, 646, 941
McClaren v. Franciscus, 43 Mo. 452, 92
v. Indianapolis, &c., R. Co., 83 Ind. 319, 1250
McClarney v. Green Bay, &c., R. Co., 80 Wis. 277, 1269
McClarren v. Jefferson School Twp. (Ind.) 82 N. E. 73, 998
McClary v. Hartwell, 25 Mich. 139, 1042
v. Sioux City, &c., R. Co., 3 Neb. 44, 1585, 1627, 1644
McClean v. Chicago, &c., R. Co., 67 Iowa, 568, 1037, 1038
McClellan v. Chippewa, &c., R. Co., 110 Wis. 326, 1689d, 1762
v. Kellogg, 17 Ill. 4, 948
v. St. Louis, &c., R. Co., 103 Mo. 295, 942
v. St. Paul, &c., R. Co., 58 Minn. 104, 1241
v. Scott, 24 Wis. 81, 128
v. St. Louis, &c., R. Co., 103 Mo. 295, 949
v. St. Paul, &c., R. Co., 58 Minn. 104, 1221, 1233
McClelland v. Bishop, 42 Ohio St. 113, 507
v. Louisville, &c., R. Co., 94 Ind. 276, 1172, 1637
v. Norfolk, &c., R. R. Co., 110 N. Y. 469, 484, 486
v. Whitely, 15 Fed. 322, 103
McClenaghan v. Brock, 5 Rich. Law, 17, 302, 214, 1585
McClinch v. Sturgis, 72 Me. 288, 18, 190
McClinton v. Pittsburgh, &c., R. Co., 66 Pa. St. 404, 1005, 1049, 1050, 1055
McCloherty v. Gale, &c., Co., 19 Ont. App. 117, 1303
McCluer v. Manchester, &c., R. Co., 13 Gray (Mass.), 124, 372, 474, 1237

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McClune v. Burlington C. R. & N. R. Co., 52 Iowa, 600, 1422
McClung v. Dearborne, 134 Pa. St. 396, 213
v. Livesay, 7 W. Va. 329, 751
McClure v. Detroit, &c., R. Co., 109 N. W. 847, 1267
v. Missouri River, &c., R. Co., 9 Kan. 373, 21, 362, 387, 393, 395, 933, 941
v. Oxford, 94 U. S. 429, 486, 859, 859a, 876, 887, 896
v. People's, &c., Ry. Co., 90 Pa. St. 269, 102, 116, 326
v. Philadelphia, &c., R. Co., 34 Md. 532, 1593, 1595, 1598, 1602, 1637
McClures v. Hammond, 1 Bay (S. Car.), 99, 1455
McCluskey v. Cromwell, 11 N. Y. 593, 1267a
McCollon v. Indianapolis, &c., R. Co., 94 Ill. 534, 1743, 1747
McCollum v. Southern Pac. Co., 88 Pac. 663, 1593, 1596, 1786
McComb v. Barcelona, &c., Assn., 134 N. Y. 598, 104
v. Bell, 2 Minn. 256, 782
v. Chicago, &c., R. Co., 7 Fed. 426, 226
v. Credit Mobilier, &c., 13 Phil. 468, 138
McCombs v. Stewart, 40 Ohio St. 647, 972
McConiha v. Guthrie, 21 W. Va. 134, 924
McConkey v. Oregon R., &c., Co., 35 Wash. 55, 1250
McConnell v. Norfolk, &c., R. Co., 86 Va. 248, 1433, 1435, 1438
v. Pedigo, 92 Ky. 465, 1678
v. Pedigo, 5 Am. R. & Corp. R. 715, 1678
McCool v. Smith, 1 Black, 459, 1678
McCord v. Atlantic, &c., R. Co., 134 N. Car. 53, 1589, 1633, 1636
v. Cammell (1896), A. C. 57, 1356
v. Ohio, &c., R. R. Co., 13 Ind. 220, 89, 155
McCord, &c., Co. v. Glenn, 6 Utah, 139, 619
McCorkle v. Chicago, &c., R. Co., 61 Iowa, 555, 1609
McCormick v. Evans, 33 Ill. 327, 1007
v. Gas Co., 48 Kan. 614, 102
v. Hudson River, &c., R. Co., 4 E. D. Smith (N. Y.), 181, 1658
v. Kansas City, &c., R. Co., 70 Mo. 359, 977, 1057f
v. Kansas City, &c., R. Co., 57 Mo. 433, 1004, 1005, 1057
v. Market Nat Bank, 165 U. S. 538, 370
v. Pennsylvania R. Co., 99 N. Y. 65, 1660
v. St. Louis, &c., R. Co., 20 Mo. App. 640, 1195
v. Stockton, &c., R. Co., 130 Cal. 100, 286
McCormick, &c., Co. v. Walthers, 134 U. S. 41, 121
McCosker v. Brady, 1 Barb. Ch. (N. Y.) 329, 586
v. Long Island R. Co., 84 N. Y. 77, 1316, 1317, 1327a
McCoskey v. Snowden, 212 Pa. St. 249, 620
McCoun v. New York Central, &c., R. Co., 50 N. Y. 176, 712
McCourt v. London, &c., R. Co., 3 Ir. C. L. 107, 1406
v. Singers, 145 Fed. 103, 273
McCowen v. Gulf, &c., R. Co., 73 S. W. 46, 1849
McCoy v. Briant, 53 Cal. 247, 827
v. California, &c., R. Co., 40 Cal. 532, 1180, 1209, 1213, 1214
v. Cincinnati, &c., Co. (U. S. C. C.) 6 Am. & Eng. Ry. Cases, 621, 2
v. Cincinnati, &c., R. Co., 13 Fed. 3, 621, 641, 1467
v. Cincinnati, &c., R. Co., 22 Am. Law Reg. (N. S.) 725, 636, 1564
v. Erie & W. T. Co., 42 Md. 498, 1417, 1422
v. Farmer, 65 Mo. 244, 426, 611, 613
v. Keokuk, &c., R. Co., 44 Iowa, 424, 1545, 1548, 1718
v. Milwaukee St. R. Co., 88 Wis. 56, 1814
v. Treichler, 90 Ia. 1, 1828
v. Washington Co., 3 Wall. Jr. (U. S.) 381, 486
v. Westborough, 172 Mass. 504, 1352
v. Worlds Columbian Exposition, 186 Ill. 356, 111a
McCracken v. Halsey Fire Engine Co., 57 Mich. 361, 230
v. Hayward, 2 How. (U. S.) 608, 1025
v. Robinson, 57 Fed. 375, 348
McCraine v. Wood, 24 La. Ann. 406, 1458
McCrary v. Chicago, &c., R. Co., 109 Mo. App. 567, 1548a
McCray v. Galveston, &c., R. Co. (Tex. Civ. App.) 32 S. W. 548, 1296
v. Galveston, &c., R. Co., 89 Tex. 168, 1301
v. Junction R. R. Co., 9 Ind. 358, 45, 325
McCrea v. Johnson, 104 Cal. 224, 1073
v. Port Royal R. Co., 3 S. Car. 381, 954
McCready v. Holmes, 6 Am. L. Reg. 229, 1420
v. Rumsey, 6 Duer (N. Y.), 574, 99
McCreary v. Boston, &c., R. Co., 153 Mass. 300, 1140
McCrory v. Chicago, &c., R. Co., 31 Fed. 531, 1170, 1179
McCrow v. Great Western R. Co., L. R. 6 Q. B. 612, 1647
McCrowell v. Bristol, 89 Va. 652, 789
McCue v. Knoxville, 146 Pa. St. 439, 1378
McCullen v. Chicago, &c., R. Co., 101 Fed. 66, 1221, 1242
v. Railway Co., 68 App. Div. (N. Y.) 269, 1637
McCulley v. Cunningham, 96 Ala. 583, 1054
McCulloch v. Maryland, 4 Wheat. (U. S.) 316, 38
v. McDonald, 91 Ind. 240, 1526
McCullough v. Annapolis R. Co., 4 Gill (Md.), 58, 191
v. Ford, &c., R. Co., 213 Pa. St. 110, 274
v. Hellwig, 66 Md. 269, 1572

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McCullough v. Maryland, 4 Wheat. 316, 1663, 1665
v. Merchants', &c., Co., 29 N. J. Eq. 217, 561, 586
v. Moss, 5 Denio (N. Y.), 567, 170, 235, 251, 285, 349
v. Norwood, 58 N. Y. 562, 612
v. St. Paul, &c., R. Co., 52 Minn. 12, 977
v. Shonernan, 105 Pa. St. 5, 1267a
v. Virginia, 172 U. S. 102, 1358e
v. Wabash W. R. Co., 34 Mo. App. 23, 1404, 1423, 1470
McCullum v. Chicago, &c., R. Co., 154 Ind. 97, 1689d
McCully v. Clarke, 40 Pa. St. 399, 1155
v. Pittsburgh, &c., R. Co., 32 Pa. St. 25, 123, 132
McCune v. Railroad, 52 Ia. 600, 1546, 1549a
McCurdy's Appeal, 65 Pa. St. 290, 491, 492
McCurdy v. Bowes, 88 Ind. 583, 594
v. Chestnut Hill R. Co., 8 Weekly Notes Cas. (Pa.) 143, 1025
v. Myers, 44 Pa. St. 535, 608
McCutchan v. Texas, &c., R. Co., 96 S. W. 647, 1689l
McCutchen v. Texas, &c., R. Co., 43 So. 42, 948
McCutcheon v. Merz. Capsule Co., 71 Fed. 787, 519
McDade v. Philadelphia, &c., Transit Co., 64 Atl. 327, 1630
McDaniel v. Charleston, &c., R. Co., 70 S. Car. 95, 1330
v. Chicago, &c., R. Co., 24 Iowa, 412, 1494, 1499, 1506, 1549, 1551, 1670
v. Gate City Co., 79 Ga. 58, 714
v. Highland, &c., R. Co., 90 Ala. 64, 1305, 1630, 1633
McDaniels v. Flower Brook, &c., Co., 22 Vt. 274, 164, 265
v. McDaniels, 40 Vt. 363, 1017
v. People, 118 Ill. 301, 734
McDermon v. Southern Pac. Co., 122 Fed. 669, 1320, 1325a
McDermott v. Atchison, &c., R. Co., (Kan.) 43 Pac. 248, 1283
v. Chicago, &c., R. Co., 82 Wis. 246, 1628b
v. Hannibal, &c., R. Co., 87 Mo. 285, 1322
v. Iowa Falls, &c., R. Co., 85 Ia. 180, 1293
v. Kentucky Cent. R. Co., 93 Ky. 408, 1259, 1260
v. Severe, 25 App. D. C. 276, 1850
McDoel v. Gill, 23 Ind. App. 630, 1244
McDonald v. Central R. Co., 72 N. J. L. 280, 1580, 1602, 1637a
v. Champion, &c., Co., 190 Mich. 401, 1288a
v. Charleston, &c., R. Co., 93 Tenn. 281, 563, 1070
v. Chicago, &c., R. Co., 41 Minn. 439, 1288
v. Chicago, &c., R. Co., 26 Iowa, 124, 1590, 1628, 1641, 1813, 1822
v. Chicago, &c., R. Co., 29 Iowa, 170, 1786
v. City Elec. R. Co., 137 Mich. 392, 1841
v. City Elec. R. Co., 144 Mich. 379, 1689l
McDonald v. Fitchburg R. Co., 19 App. Div. (N. Y.) 577, 1795
v. Haughton, 70 N. C. 393, 275
v. Hovey, 110 U. S. 619, 1678
v. Illinois Cent. R. Co., 187 Ill. 529, 1689h
v. International, &c., R. Co., 86 Tex. 1, 1155, 1257, 1264
v. Kansas City, &c., R. Co., 127 Mo. 38, 1096cy
v. Long Island R. Co., 116 N. Y. 546, 1628
v. Louisville, &c., R. Co., 47 La. Ann. 1440, 1635
v. McDonald, 96 Ky. 209, 1368
v. Mass., &c., Hospital, 120 Mass. 432, 222, 223, 1388
v. Michigan Cent. R. Co., 132 Mich. 372, 1327
v. Montgomery St. R. Co., 110 Ala. 161, 1628, 1771, 1830, 1841
v. Norfolk, &c., R. Co., 95 Va. 98, 1288
v. Pittsburgh, &c., R. Co., 144 Ind. 459, 1359, 1368
v. St. Louis Transit Co., 108 Mo. App. 374, 1096cs, 1096cy
v. Salem, &c., Co., 31 Fed. 577, 708
v. Southern Cal. Ry. Co., 101 Cal. 206, 937
v. Southern R. Co., 71 S. Car. 352, 1368
v. State, 81 Ala. 279, 668
v. Toledo, &c., St. R. Co., 74 Fed. 104, 1096cn
v. Western, &c., R. Co., 34 N. Y. 497, 1412, 1443, 1449
McDonnell v. Canada, &c., R. Co., 33 U. C. Q. B. 313, 1062
v. Grand Canal Co., 3 Ir. Ch. 578, 167
v. New York, &c., R. Co., 78 N. E. 548, 1274
v. Oceanic Steam, &c., Co., 143 Fed. 480, 1353
v. Pittsfield, &c., R. Co., 115 Mass. 564, 1181, 1190
McDonough v. Boston, &c., R. Co., 191 Mass. 509, 1689l
v. Metropolitan R. Co., 137 Mass. 210, 1096cs, 1096cy
McDougall v. Covert, 18 Up. Can. C. P. 119, 210
v. Gardiner, L. R. 1 Ch. D. 13, 518
McDowell v. Chicago Steel Works, 124 Ill. 491, 110
v. Joice, 46 Ill. App. 627, 1450
v. New York, &c., R. Co., 37 Barb. 195, 1185
v. Rutherford Ry. Const. Co., 96 N. Car. 514, 849, 865
McDuffee v. Portland, &c., R. R. Co., 52 N. H. 430, 27, 1391, 1465, 1560, 1564, 1565, 1593
McDugan v. New York, &c., R. Co., 31 N. Y. Supp. 135, 1272, 1280, 1296
v. New York, &c., R. Co., 155 N. Y. 631, 1315d
McEachen v. Boston, &c., R. Co., 150 Mass. 515, 1259, 1260
McEacheran v. Michigan Cent. R. Co., 101 Mich. 264, 1435, 1438
McEachran v. Grand Trunk R. Co., 115 Mich. 318, 1572
McElhenny, Appeal of, 61 Pa. St. 188, 11, 275

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McElhenny, &c., Co. v. Binz, 80 Tex. 1, 528, 551
McElligott v. Randolph, 61 Conn. 157, 1303
McElrath v. Pittsburgh, &c., R. Co., 55 Pa. St. 189, 27, 484, 515, 1058
v. Pittsburgh, &c., R. Co., 68 Pa. St. 37, 508
McElroy v. Georgia, &c., R. Co., 98 Ga. 257, 1158
v. Iowa Cent. R. Co., 110 N. W. 915, 723a, 1649, 1660
v. Kansas City, &c., R. Co., 172 Mo. 546, 985, 987, 1057
v. Nashua, &c., R. Co., 4 Cush. 400, 447, 1586
v. Railroad Co., 7 Phila. (Pa.) 206, 1601
McElwaine v. Hosey, 135 Ind. 481, 538, 1070
McElwaine-Richards Co. v. Wall, 159 Ind. 557, 1689b
v. Wall, 76 N. E. 108, 1356
McElwee Mfg. Co. v. Trowbridge, 68 Hun (N. Y.), 28, 616
McEniry v. Waterford, &c., R. Co., 8 Ir. C. L. 312, 1316
McEntee v. New Jersey, &c., Co., 45 N. Y. 34, 1426, 1523, 1525, 1535
McEwen v. Hoopes (Pa. St.), 34 Atl. 623, 1702
v. Jeffersonville, &c., R. Co., 33 Ind. 368, 1430, 1523, 1530
McFadden v. Johnson, 72 Pa. St. 335, 1000, 1049
v. May's Landing, &c., R. Co., 49 N. J. 176, 505, 507, 509, 522
v. Missouri, &c., R. Co., 92 S. W. 989, 1057g
v. Missouri, &c., R. Co., 92 Mo. 343, 1401, 1500, 1504, 1505, 1508, 1510, 1545, 1694
McFall v. McKeesport, &c., R. Co., 123 Pa. St. 259, 13
v. Railroad Co., 117 Mo. App. 477, 1514
McFarlan Carriage Co. v. Potter, 153 Ind. 107, 1295
McFarland v. Consolidated Trac. Co., 204 Pa. St. 423, 1096ci
v. Gulf, &c., R. Co., 88 S. W. 450, 1243
v. Mississippi River, &c., R. Co., 175 Mo. 422, 712, 950
v. Wheeler, 26 Wend. (N. Y.) 467, 1570
McFarlane v. Caledonian, &c., Co., 6 Macph. (Sc. Ct. of Sessions, 3d Ser.) 102, 234
McFeat v. Philadelphia, &c., R. Co., 62 Atl. 898, 1689l
McFee v. Vicksburg, &c., R. Co., 42 La. Ann. 790, 1297, 1586, 1801
McFerron v. Alloway, 14 Bush (Ky.), 580, 825
McGahey v. Virginia, 135 U. S. 662, 840
McGarrahan v. New York, &c., R. Co., 171 Mass. 211, 1799, 1804
McGarrity v. New York, &c., R. Co., 25 R. I. 269, 1271
McGarth v. Metropolitan St. R. Co., 93 N. Y. S. 519, 1096bq
v. North Jersey St. R. Co., 66 N. J. L. 312, 1096cj
McGaw v. Adams, 14 How. Pr. 461, 1544
McGaw v. Ocean Ins. Co., 23 Pick. (Mass.) 405, 1558, 1562
McGearty v. Manhattan R. Co., 15 App. Div. (N. Y.) 2, 1641
McGeary v. Eastern, &c., R. Co., 135 Mass. 363, 1262
McGee's Appeal, 114 Pa. St. 470, 1086
McGee v. Boston, &c., R. Co., 139 Mass. 44, 1316
v. Consolidated St. R. Co., 102 Mich. 107, 1096bq, 1096cj, 1168
v. Missouri, &c., R. Co., 92 Mo. 208, 1576, 1628, 1629, 1645
McGehee v. McCarley, 91 Fed. 462, 1802
v. Mathis, 4 Wall. (U. S.) 143, 746, 1096o
v. Mathis, 21 Ark. 40, 781
McGeorge v. Big Stone, &c., Co., 57 Fed. 262, 543, 544
McGhee v. Cashin, 40 So. 63, 1823
v. Cashin, 130 Ala. 561, 1760
v. Gaines (Ky.), 32 S. W. 602, 1204, 1214, 1215
v. Guyn (Ky.), 32 S. W. 915, 1198
v. Reynolds, 117 Ala. 413, 1594a, 1597, 1760
v. White, 66 Fed. 502, 1163, 1166
McGibbon v. Northern Pacific R. Co., 11 Ont. 307, 1225
McGiffin v. Palmer, &c., Co., L. R. 10 Q. B. D. 5, 1347
v. Minneapolis, &c., R. Co., 113 Ia. 358, 1209
v. Pittsburgh, &c., R. Co., 152 Pa. St. 331, 1160
v. Rowand, 3 Pa. St. 451, 1647, 1660
McGillioray v. School Dist. 112 Wis. 354, 894
McGinley v. Levering, 152 Pa. St. 366, 1318
McGinnis v. Canada, &c., Bridge Co., 49 Mich. 466, 1272, 1283
v. Missouri Pac. R. Co., 21 Mo. App. 399, 1594
McGilvray v. West End St. R. Co., 164 Mass. 122, 1265
McGoffin v. Missouri, &c., R. Co., 102 Mo. 540, 1631
McGoldrick v. King, 8 Can. Exch. 169, 1003a
McGonigle v. Allegheny City, 44 Pa. St. 118, 782
v. Kane, 20 Colo. 292, 1313
McGourkey v. Toledo, &c., R. Co., 146 U. S. 536, 497, 500, 518, 1058
McGovern v. Bockius, 10 Phila. (Pa.) 438, 1059
v. Central Vermont R. Co., 6 N. Y. Supp. 838, 1267
v. Interurban R. Co., 111 N. W. 412, 1642a, 1645a, 1833, 1840, 1841
v. New York, &c., R. Co., 67 N. Y. 417, 1171, 1173
McGowan v. Chicago, &c., R. Co. (Wis.) 64 N. W. 891, 1296
v. International, &c., R. Co., 85 Tex. 289, 1378a
v. Myers, 66 Iowa, 99, 573
v. St. Louis, &c., R. Co., 61 Mo. 528, 208, 211, 1304, 1689h
v. Wilmington, &c., R. Co., 95 N. C. 417, 709

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McGowen v. Morgan's Louisiana, &c., R. Co., 41 La. Ann. 732, 201, 1603, 1637
McGrail v. Kalamazoo, 94 Mich. 52, 1700
McGrann v. North Lebanon, &c., R. Co., 29 Pa. St. 82, 1060
McGrath v. Brooklyn, &c., R. Co., 34 N. Y. Supp. 365, 1630
v. City, &c., R. Co., 93 Ga. 312, 1095
v. Detroit, &c., R. Co., 57 Mich. 555, 1194
v. New York, &c., R. Co., 63 N. Y. 522, 1155, 1157, 1158
v. New York, &c., R. Co., 59 N. Y. 468, 1157, 1179
v. New York, &c., R. Co., 14 R. I. 357, 1298
v. Texas, &c., R. Co., 60 Fed. 555, 1290
McGraw v. Baltimore, &c., R. Co., 18 W. Va. 361, 1455, 1457, 1457a, 1483, 1517, 1520
v. Bayard, 96 Ill. 146, 1074, 1075
v. Memphis, &c., R. Co., 5 Coldw. (Tenn.) 434, 626
v. Texas, &c., R. Co., 50 La. Ann. 466, 1300
McGregor v. Dover & Deal R. Co., 18 Q. B. 618, 374
v. Erie, &c., R. Co., 35 N. J. L. 115, 28
v. Erie, &c., R. Co., 35 N. J. L. 89, 1564
v. Home Ins. Co., 33 N. J. Eq. 181, 85, 613
v. Hudson (Tex. Ct. App.), 30 S. W. 489, 210
v. Kilgore, 6 Ohio 358, 1425
McGregor, &c., Co. v. Brown, 39 Iowa 655, 779
McGrew v. Missouri Pac. R. Co., 114 Mo. 210, 1684l
v. Missouri, &c., R. Co., 6 I. C. C. 630, 1688a
v. Missouri, &c., R. Co., 8 Interstate C. C. 630, 1690
McGucken v. Western, &c., R. Co., 77 Hun 69, 1282, 1632
McGuigan v. Wilmington, &c., R. Co., 95 N. Car. 428, 1669
McGuiness, &c., R. Co. v. Boston, &c., Co., 29 Mont. 428, 159
McGuinn v. Forbes, 37 Fed. 639, 1639, 1665
McGuire v. Blount, 199 U. S. 142, 1702
v. Chicago, &c., R. Co., 108 N. W. 902, 660, 666, 667, 668, 755, 1258
v. Chicago, &c., R. Co., 37 Fed. 54, 1172, 1261
v. Grant, 23 N. J. L. 362, 1057b
v. Lehigh Valley R. Co., 64 Atl. 825, 1349
v. St. Louis, &c., R. Co., 87 S. W. 564, 1194
v. Spence, 91 N. Y. 303, 1259
v. Steamship Golden Gate, 1 McAllister, 104, 1587
v. Vicksburg, &c., R. Co., 46 La. Ann. 1543, 1094, 1175
McHale v. Easton, &c., Co., 169 Pa. 416, 1078
McHany v. Schenck, 88 Ill. 357, 529
McHenry, In re, 9 Abb. (N. Y.) N. C. 256, 511
McHenry v. Alford, 168 U. S. 651, 765
v. New York, &c., R. Co., 25 Fed. 65, 531a
v. New York, &c., R. Co., 25 Fed. 114, 586
v. Philadelphia, &c., R. Co., 4 Harr. (Del.) 448, 1457, 1481
McHenry, &c., Co. v. Sneddon, 98 Ky. 684, 1704
McHugh v. Chicago, &c., R. Co., 41 Wis. 75, 1221
v. Manhattan R. Co., 88 App. Div. (N. Y.) 554, 1313
v. Manhattan R. Co., 179 N. Y. 378, 1353
v. Schlosser, 159 Pa. 480, 1809
McIlhenny v. Binz, 80 Tex. 1, 505, 527, 528, 551
McIlrath v. Snure, 22 Minn. 391, 569
McIlvain v. Hestonville, &c., R. Co., 5 Phila. 13, 535, 1069
McIntire v. State, 5 Bickf. 384, 988
v. Western, &c., R. Co., 67 N. C. 278, 702, 1004, 1012, 1050
McIntire R. Co. v. Bolton, 43 Ohio St. 224, 1248
McIntosh v. Great Western, &c., R. Co., 2 DeG. & S. 758, 1059
v. Missouri Pac. R. Co., 58 Mo. App. 281, 1283, 1296
v. Pittsburgh, 112 Fed. 705, 1019
McIntyre v. Boston, &c., R. Co., 163 Mass. 189, 1273
v. Easton, &c., R. Co., 26 N. J. Eq. 425, 1001, 1023, 1025, 1053
v. Marine, 93 Ind. 193, 1020
v. Railroad, 37 N. Y. 287, 1630a
v. Roeschlaub, 37 Fed. 556, 798
McIntyre Poor School v. Zanesville Canal, &c., Co., 9 Ohio 203, 163
McKaig v. Northern, &c., R. Co., 42 Fed. 288, 1328
McKay v. Beard, 20 S. Car. 156, 17
v. Elwood, 12 Wash. 579, 147
v. Lasher, 121 N. Y. 477, 1700
v. New York Cent. Railroad, 50 Hun 563, 1443, 1498
v. Ohio River R. Co., 34 W. Va. 65, 1594
McKean v. Burlington, &c., R. Co., 55 Iowa 192, 1782
v. McIvor, L. R. 6 Exch. 36, 1526, 1535
McKee v. Chicago, &c., R. Co., 83 Iowa 616, 1268, 1269, 1296
v. Garcelon, 60 Me. 105, 1428
v. Home, &c., Co., 122 Ia. 731, 162
v. Lamon, 159 U. S. 317, 918a
v. Owen, 15 Mich. 115, 1654
v. St. Louis, 17 Mo. 184, 1025, 1046
v. Tourtellotte, 167 Mass. 69, 1314
v. Vernon County, 3 Dill. (U. S.) 210, 485, 903, 906
McKeen v. Delaware Canal Co., 49 Pa. St. 424, 977
McKeesport, Borough of v. McKeesport R. Co., 158 Pa. St. 447, 1092
v. Pittsburg, &c., R. Co., 213 Pa. St. 542, 1096al, 1096ak
McKeever v. Market St., &c., R. Co., 59 Cal. 294, 1163
McKeigue v. Chicago, &c., R. Co., 110 N. W. 384, 1376
McKelvey v. Crockett, 18 Nev. 238, 182, 626
McKelway v. Seymour, 29 N. J. L. 321, 941

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McKenizie v. Union R. Co., 178 N. Y. 638, 1096cv
McKenna v. Brooklyn, &c., R. Co., 41 App. Div. (N. Y.) 255, 1800, 1820
v. Metropolitan, &c., R. Co., 112 Mass. 55, 1094, 1096cb
McKennon v. St. Louis, &c., R. Co., 69 Ark. 104, 1049, 1049g
McKenzie v. McLeod, 10 Bing. 85, 214
v. Michigan Cent. R. Co., 137 Mich. 112, 1553
v. Wooley, 39 La. Ann. 944, 814
McKeon v. Chicago, &c., R. Co., 94 Wis. 477, 1640, 1817
v. Citizens', &c., Co., 42 Mo. 79, 214, 1638, 1801
v. New York, &c., R. Co., 75 Conn. 343, 666, 1001a, 1057a, 1057j, 1085
v. New York, &c., R. Co., 183 Mass. 271, 1255
v. See, 14 La. Ann. 453, 1527
McKeoin v. Northern Pac. R. Co., 45 Fed. 464, 1049d, 1689h
McKeown v. Cincinnati St. R. Co., 2 Ohio Leg. N. 388, 1096dd
McKerley v. Red River, &c., R. Co., 85 S. W. 499, 1155
McKernan v. Detroit Citizens' St. R. Co., 138 Mich. 519, 1096cf
v. Manhattan R. Co., 22 Jones & S. (N. Y. Super. Ct.) 354, 198, 200, 1265, 1638
v. Neff, 43 Ind. 503, 512
McKibbin v. Great Northern R. Co., 78 Minn. 232, 1649, 1651
v. Wisconsin Cent. R. Co., 110 N. W. 964, 1652a, 1656
McKigue v. Janesville, 68 Wis. 50, 1378
McKillop v. Duluth St. R. Co., 53 Minn. 532, 1096cc
McKiltuck v. Arkansas Cent. R. Co., 152 U. S. 573, 590
McKin v. Hibbard, Exr., 112 Mass. 422, 94
v. Odom, 3 Bland Ch. 407, 73
McKimble v. Boston, &c., R. Co., 139 Mass. 542, 1579, 1592, 1628a
McKinlay v. Morrish, 21 How. 343, 1481
McKinley v. Chicago, &c., R. Co., 47 Ia. 76. 1193, 1198
v. Chicago, &c., R. Co., 44 Iowa, 314, 1638, 1808, 1815
McKinney v. Chicago, &c., R. Co., 87 Wis. 282, 1164, 1166
v. Frankfort, &c., R. Co., 140 Ind. 95, 874
v. I. C. R. Co., 6 Iowa Ry, Com. 557, 720
v. Jewett, 90 N. Y. 267, 1426, 1454
v. Monongahela, &c., Co., 14 Pa. St. 65, 1012
v. Nell, 1 McLean (U. S. C. C.), 540, 1584, 1585, 1629
McKissick v. Pickle, 16 Pa. St. 140, 942
McKissock v. St. Louis, &c., R. Co., 73 Mo. 456, 1214
McKittrick v. Arkansas Cent. Ry. Co., 152 U. S. 473, 480, 481, 812, 813
McKivergan v. Alexander, &c., Co., 124 Wis. 60, 1
McKnight v. Chicago, &c., R. Co., 44 Minn. 141, 1344
v. Iowa, &c., R. Co., 43 Iowa, 406, 1
McKome v. Michigan, &c., R. Co., 51 Mich. 601, 1250, 1256, 1578, 1579, 1590, 1628, 1641
McKonkey v. Chicago, &c., R. Co., 40 Iowa 205, 1204
McKune v. Southern, &c., R. Co., 66 Cal. 302, 1322
McKusick v. Seymour, 48 Minn. 172, 73, 310, 315
McLagan v. Chicago, &c., R. Co., 116 Ia. 183, 1563
McLain v. St. Louis, &c., R. Co., 100 Mo. App. 374, 1096cf, 1815, 1820
McLane v. Placerville, &c., Co., 66 Cal. 606, 251, 501, 514, 521, 522, 545, 580
McLaren v. Alabama, &c., R. Co., 100 Ala. 506, 1628
v. Canada, &c., R. Co., 32 U. C. C. P. 324, 1238
v. Detroit, &c., R. Co., 23 Wis. 138, 1432
v. Indianapolis, &c., R. Co., 83 Ind. 319, 1154, 1257
v. Railway, 100 Ala. 506, 1628
v. Williston, 48 Minn. 299, 1296
McLarin v. Atlanta, &c., R. Co., 85 Ga. 504, 1578, 1776
McLaughlin v. Charlotte R. Co., 5 Rich. (S. Car.) Law, 583, 950, 1048, 1087
v. Detroit, &c., R. Co., 8 Mich. 99, 82, 103, 227, 270, 316
v. Elec. L. Co., 100 Ky. 173, 1096cm
v. Interurban St. R. Co., 101 App. Div. (N. Y.) 134, 1333c
v. Marston, 78 Wis. 670, 1414
v. Martin, 12 Colo. App. 268, 1692
v. Municipality, 5 La. Ann. 504, 1032
v. Philadelphia Trac. Co., 175 Pa. St. 565, 1096cc
McLean v. Fleming, L. R. 2 H. L. Sc. 128, 1419, 1420
v. Pere Marquette R. Co., 137 Mich. 482, 1276, 1316
v. Pittsburgh, &c., Co., 159 Pa. St. 112, 312
v. Presley, 56 Ala. 211, 507
McLellan v. County Commissioners, 21 Me. 390, 1012
v. Detroit, &c., Works, 56 Mich. 579, 351
McLemore v. Charleston, &c., R. Co., 111 Tenn. 639, 946c
McLendon v. Atlanta, &c., R. Co., 54 Ga. 293, 1000, 1025
v. Commissioners of Anson County, 71 N. C. 38, 918
McLennan v. Hopkins, 2 Kan. App. 260, 13
McLenore v. Memphis, &c., R. Co. (Tenn.), 69 S. W. 966, 396
McLeod v. Burroughs, 9 Ga. 213, 32
v. Chicago, &c., R. Co., 125 Ia. 270, 1096bw, 1315h, 1334, 1338
v. Gennis, 31 Neb. 1, 1060
v. Ginther, 80 Ky. 399, 1322
McLouth v. Hunt, 154 N. Y. 179, 307
McMahan v. Morrison, 79 Am. Dec. 424, 329
v. Morrison, 16 Ind. 172, 335, 606, 747
McMahon v. Bangs, 62 Atl. 1098, 1813
v. Board, &c., 46 Cal. 214, 917
v. Cincinnati, &c., R. Co., 5 Ind. 413, 987
v. Davidson, 12 Minn. 357, 1464
v. Dubuque, 108 Ia. 62, 1239

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McMahon v. Hetch-Hatchy, &c., R. Co., 84 Pac. 350, 1229, 1243
v. McHale, 174 Mass. 320, 1338
v. Macy, 51 N. Y. 155, 180, 188
v. New York, &c., R. Co., 20 N. Y. 463, 1059
v. Northern, &c., R. Co., 39 Me. 438, 1095, 1169, 1262
v. Second Ave. R. Co., 75 N. Y. 231, 1092, 1096am
v. Second Ave. R. Co., 11 Hun (N. Y.), 347, 1096cb
McManamee v. Missouri, &c., R. Co., 135 Mo. 440, 1155, 1689d, 1689e, 1696
McManus v. Crickett, 1 East, 106, 214, 1265
v. Duluth, &c., R. Co., 51 Minn. 30, 851, 856
v. Lancashire, &c., R. Co., 4 H. & N. 327, 1466
v. Lancashire, &c., R. Co., 2 H. & N. 693, 1545
v. McDonough, 107 Ill. 95, 1012
McMarshall v. Chicago, &c., R. Co., 80 Iowa, 757, 1252, 1792
McMaster v. Illinois Central R. Co., 65 Miss. 264, 1346, 1366
McMasters v. Pennsylvania R. Co., 69 Pa. St. 374, 1521, 1522, 1527
v. Reed, 1 Grant Cas. (Pa.) 36, 480
McMicken v. Cincinnati, 4 Ohio St. 394, 1015, 1020
v. United States, 97 U. S. 204, 802
McMillan v. Baker, 20 Kan. 50, 1049
v. Federal, &c., R. Co. (Pa.) 33 Atl. 560, 1637
v. Maysville, &c., R. Co., 15 B. Mon. Ky. 218, 112, 121, 123, 386
v. Michigan, &c., R. Co., 16 Mich. 79, 461, 474, 1435, 1464, 1501, 1502, 1504, 1507, 1516, 1527
v. Saratoga, &c., R. Co., 20 Barb. 449, 1270
McMillar v. Spider Lake, &c., Co., 115 Wis. 332, 1366a
McMillen v. Anderson, 95 U. S. 37, 1019
McMillin Printing Co. v. Pittsburgh, &c., R. Co., 65 Atl. 1091, 1003a
McMinnville, &c., R. Co. v. Huggins, 3 Baxt. (Tenn.) 177, 465, 567
McMorran v. Grand Trunk R. Co., 2 Interst. Com. Com. 25, 1682, 1684g
McMullen v. Carnegie, &c., R. Co., 158 Pa. St. 518, 1279
v. Northern Pacific R. Co., 57 Fed. 16, 654
v. Ritchie, 64 Fed. 253, 230
v. State, 105 Ind. 334, 1043
McMurray v. Brown, 91 U. S. 257, 1075
v. Morgan, 134 U. S. 150, 484, 500
McMurtry v. Louisville, &c., R. Co., 67 Miss. 601, 1702
v. Montgomery, &c., Co., 86 Ky. 206, 275, 512
McNab v. United Railroad, &c., Co., 94 Md. 719, 1096bc, 1096bq
McNaier v. Manhattan R. Co., 51 Hun (N. Y.), 644, 1820
McNally v. Phoenix Ins. Co., 137 N. Y. 389, 1702
McNamara v. Estes, 22 Iowa, 246, 783
v. Great Northern R. Co. (Minn.), 63 N. W 726, 1255, 1580, 1629
v. Harrison, 81 Iowa, 486, 1059
v. King, 2 Gilm (Ill.), 432, 1807
v. Logan, 100 Ala. 187, 1349.
McNamara v. Minnesota, &c., R. Co., 12 Minn. 388, 1053
v. Minneapolis, &c., R. Co., 95 Mich. 545, 1099
v. New York, &c., R. Co., 19 N. Y. Supp. 497, 1164
v. Slavens, 76 Mo. 329, 1376
McNarra v. Chicago, &c., Railway Co., 41 Wis. 69, 1233, 1238
McNeal v. Pittsburgh, &c., R. Co., 131 Pa. St. 184, 1168
McNeal, &c., Co. v. Howland, &c., Co., 99 N. Car. 202, 654
McNealey v. Chicago, &c., R. Co., 119 Mo. App. 200, 1512, 1714
McNee v. Coburn, &c., Co., 170 Mass. 283, 1282
McNeeley v. Woodruff, 13 N. J. Law, 352, 95, 158, 164
McNees v. Missouri Pac. R. Co., 22 Mo. App. 224, 1565
McNeil, Ex parte, 13 Wall. 236, 658
McNeil v. Chicago R. Co., 61 Ill. 150, 1096ac
v. New York, &c., R. Co., 71 Hun, 24, 1288, 1296
v. Tenth Nat. Bank, 46 N. Y. 325, 78, 79, 93, 97
McNeill v. Durham, &c., R. Co., 135 N. Car. 682, 1467, 1497, 1578a, 1604, 1606, 1608, 1609, 1613
McNulta v. Corn Belt Bank, 164 Ill. 427, 87, 369
v. Ensch, 31 Ill. App. 100, 1628
v. Lockridge, 141 U. S. 327, 573, 576
v. Lockridge, 32 Ill. App. 86, 1793
v. Lockridge, 137 Ill. 270, 576, 577, 581
McNulty v. Pennsylvania R. Co., 182 Pa. St. 479, 1303a, 1604
McPadden v. New York, &c., R. Co., 44 N. Y. 478, 1583, 1587, 1634
McPeak v. Missouri, &c., R. Co., 128 Mo. 617, 1628
v. New York, &c., R. Co., 85 Hun, 107, 1170
McPeck v. Central Vt. R. Co., 79 Fed. 590, 1288, 1295, 1298a
McPhee v. Scully, 163 Mass. 216, 1290, 1353
McPheeters v. Hannibal, &c., R. Co., 45 Mo. 22, 1193
McPherson v. Foster, 43 Ia. 48, 836, 845, 890, 891, 903
v. Holdridge, 24 Ill. 38, 1034
v. Nichols, 48 Kan. 430, 1698
v. Pacific Bridge Co., 20 Or. 486, 1689c
v. San Joaquin Co., 56 Pac. 802, 1062
McPike v. Pen, 51 Mo. 63, 872
McQuade v. St. Louis, &c., R. Co., 200 Mo. 150, 1764
v. St. Louis, &c., R. Co., 98 S. W. 552, 1096bv
McQuaid v. Portland, &c., Railway Co., 18 Ore 237, 1085, 1087, 1088, 1089, 1091
McQueen v. Central Branch, &c., R. Co., 30 Kan. 689, 1292, 1303a, 1645
McQuerry v. Metropolitan St. R. Co., 117 Mo. App. 225, 1637, 1638, 1836
McQuesten v. Sanford, 40 Me. 117, 1660
McQuigan v. Delaware, &c., R. Co., 122 N. Y. 618, 1301a
McQuilken v. Central Pac. R. Co., 64 Cal. 463, 1641

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

McQuillen v. Hatton, 42 Ohio St. 202, 952, 954
McRae v. Canada, &c., R. Co., Montreal L. R. 4 S. C. 186, 1393
v. Russell, 12 Ired. (N. C.) 224, 106
v. Wilmington, &c., R. Co., 88 N. Car. 526, 1576, 1593, 1598, 1601
McReady v. South, &c., R. Co., 2 Strob. 356, 1221
McReynolds v. Burlington, &c., R. Co., 106 Ill. 152, 993, 1035, 1037
McRoberts v. Southern Min. R. Co., 18 Minn. 108, 930
McShane v. Toronto, &c., R. Co., 31 Ont. 185, 1260
McSpeden v. New York, 7 Bosw. (N. Y. Superior Ct.) 601, 369
McSweeney v. Commonwealth, 185 Mass. 371, 978
v. Erie R. Co., 93 App. Div. (N. Y.) 496, 1114b
McTavish v. Great Northern R. Co., 8 N. Dak. 333, 1242
McTighe v. Macon Const. Co., 94 Ga. 306, 497, 507, 515
McTreat v. Railroad Co., 62 Atl. 898, 1579
McTwiggan v. Hunter, 18 R. I. 776, 751
McTyler v. Steele, 26 Ala. 487, 1415
McVeagh v. Atchison, &c., R. Co., 3 N. Mex. 205, 1457a, 1539a, 1543a
McVean v. Detroit United R. Co., 138 Mich. 263, 1096cn
McVeety v. St. Paul, &c., R. Co., 45 Minn. 268, 1610, 1629
McVey v. Illinois Cent. R. Co., 73 Miss. 487, 1361a
v. Illinois Cent. R. Co. (Miss.), 19 So. 209, 1363
McVicker v. American, &c., Co., 41 Fed. 861, 535
McWhorter v. Pensacola, &c., R. Co., 24 Fla. 417, 634, 674, 700, 705
v. People, 65 Ill. 290, 849
McWilliams v. Morgan, 61 Ill. 89, 947
Maas v. Missouri, &c., R. R. Co., 83 N. Y. 223, 485
Mabin v. Webster, 8 Ind. App. 547, 1704
Mabry v. City Elec. R. Co., 116 Ga. 624, 1823
v. Harrison, 44 Tex. 286, 583
Macalester v. Maryland, 114 U. S. 598, 503
Macan v. Wing, 113 Ga. 90, 1084
Macauly v. Robinson, 18 La. Ann. 619, 150, 151
Macawley v. Furness R. Co., L. R. 8 Q. B. 57, 1627
Macbeth v. Banfield, 45 Ore. 553, 91, 110
Macdonald v. First Nat. Bank, 47 Minn. 67, 599
Macdougall v. Jersey, &c., Co., 2 H. & Miller, 528, 18, 316, 317
Mace v. H. A. Boedker Co., 127 Ia. 721, 1288, 1298
Macedon, &c., Plank Co. v. Snediker, 13 Barb. 317, 121
Macfarland v. West Side, &c., Assn., 53 Neb. 417, 111a, 115
MacFarlane v. North British, &c., R. Co., 4 Ry. & C. T. Cas. 269, 1686
MacGregor v. Dover, &c., R. Co., 18 Q. B. 618, 440
Machen v. Western Union Tel. Co., 63 S. Car. 363, 1774
Machin v. Alaska, &c., Co., 100 Mich. 276, 1283
Mack's Appeal (Pa.), 7 Atl. 481, 115
Mack v. Chicago, &c., R. Co., 101 S. W. 142, 1333a
v. DeBardeleben, &c., Co., 90 Ala. 396, 159, 164, 165
v. Jones, 31 Fed. R. 189, 555
v. Porter, 72 Fed. 236, 1689i
v. South Bound R. Co., 52 S. Car. 323, 1792, 1817
Mackall v. Chesapeake, &c., Co., 94 U. S. 308, 405
Mackay v. Central R. Co., 14 Blatch. 65, 1366
v. New York, &c., R. Co., 35 N. Y. 75, 1156
Mackenzie v. Wooley, 39 La. Ann. 944, 826, 836, 849
Mackereth v. Glasgow, &c., R. Co., L. R. 8 Exch. 149, 621
Mackey v. Baltimore, &c., R. Co., 8 Mackey (D. C.), 282, 1587
v. New York, &c., R. Co., 35 N. Y. 75, 1161
v. Northern, &c., Co., 210 Ill. 115, 1689f
v. Vicksburgh, 64 Miss. 777, 1259, 1261
Mackie v. Central R. Co., 54 Iowa. 405, 1177, 1193, 1198, 1200, 1219
Mackin v. Boston, &c., R. Co., 135 Mass. 201, 1275, 1279, 1327
v. Peoples St. R. Co., 45 Mo. App. 82, 1096cu
Mackintosh v. Flint, &c., R. R. Co., 32 Fed. 350, 83, 95, 251, 521, 533
Macklin v. New Jersey, &c., R. Co., 7 Abb. Pr. N. S. (N. Y.) 229, 1501, 1654, 1660
Maclaren v. Stainton, L. R. 11 Eq. 382, 307
Mackoy v. Missouri, &c., R. Co., 18 Fed. 236, 1585
v. Missouri, &c., R. Co., 5 McCrary (U. S.), 538, 1585
MacLeod v. Graven, 73 Fed. 627, 1628, 1642
Macloon v. Boston, &c., R. Co., 9 I. C. C. 642, 1593, 1678
v. Chicago, &c., R. Co., 3 Interst. Com. 711, 1566, 1678
v. Smith, 49 Wis. 200, 506
Macomber v. Nichols, 34 Mich. 212, 1090
Macon v. Franklin, 12 Ga. 239, 981
v. East Tennessee, &c., R. Co., 82 Ga. 501, 941
v. Harris, 75 Ga. 76, 1096h
v. Huldekoper, 99 U. S. 769, 892, 918
v. Macon, &c., R. Co., 7 Ga. 221, 38
v. Moore, 99 Ga. 229, 1813
v. Paducah St. R. Co., 110 Ky. 680, 1812
v. Patty, 57 Minn. 378, 781, 789, 950
v. Shores, 97 U. S. 272, 842, 898
Macon Consol. St. R. Co. v. Barnes, 113 Ga. 212, 1096ct. 1831, 1843
v. Shores, 97 U. S. 272, 842, 898
Macon R. Co. v. Vining, 120 Ga. 511, 1096cy
Macon R., &c., Co. v. Vining, 123 Ga. 770, 1841
Macon, &c., R. Co. v. Baber, 42 Ga. 300, 1216
v. Davis, 13 Ga. 68, 950

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Macon, &c., R. Co. v. Davis, 18 Ga. 679, 1156
v. Georgia R. R. Co., 83 Ga. 103, 507, 514
v. Gibson, 85 Ga. 1, 43, 59, 344, 844, 919
v. Johnson, 38 Ga. 409, 1576
v. McConnell, 27 Ga. 481, 1238
v. Mason, 123 Ga. 773, 1814
v. Mayes, 49 Ga. 355, 466, 472, 1063, 1573
v. Meador, 65 Ga. 705, 1543
v. Moore, 125 Ga. 810, 1760
v. Moore, 99 Ga. 229, 1689i, 1830
v. Parker, 9 Ga. 377, 520, 790
v. Riggs, 87 Ga. 158, 969
v. Shaller, 141 Fed. 585, 165
v. Stewart, 125 Ga. 88, 1828
v. Vason, 57 Ga. 314, 134, 136, 140, 141, 142, 150, 342
v. Vaughn, 48 Ga. 464, 1181
v. Walton, 56 S. E. 419, 1712
v. Winn, 26 Ga. 259, 1807
Macon, &c., St. R. Co. v. Barnes, 113 Ga. 212, 1808
v. Holmes, 103 Ga. 655, 1096ce
v. Macon, 112 Ga. 782, 1082, 1082a, 1096ag
Macrow v. Great Western R. Co., L. R. 6 Q. B. 612, 1646, 1647, 1649
MacVeagh v. Atchison, &c., R. Co., 3 N. Mex. 205, 1544
Macy v. City of Indianapolis, 17 Ind. 267, 1223
v. St. Paul, &c., R. Co., 35 Minn. 200, 1327
Madan v. Sherard, 73 N. Y. 329, 1502, 1661
Madden v. Chesapeake, &c., R. Co., 28 W. Va. 610, 1318, 1328, 1795
v. Port Royal, &c., R. Co., 35 S. Car. 381, 1628b
Maddox v. Graham, 2 Metc. (Ky.) 56, 880, 918
Madera R. Co. v. Raymond Granite Co., 87 Pac. 27, 952o, 1030b, 1035a
Madera, &c., Dist., In re, 92 Cal. 296, 824
Madison v. Gallagher, 159 Ill. 105, 952
v. Missouri, &c., R. Co., 60 Mo. App. 599, 1146, 1151
v. Smith, 83 Ind. 502, 828, 879
v. Brown, 67 Miss. 684, 865
v. Paxton, 57 Miss. 701, 873
v. People, 58 Ill. 456, 841, 847
v. Priestly, 42 Fed. 817, 895
Madison, &c., Co. v. Stevens, 10 Ind. 1, 114
v. Watertown, &c., Co., 5 Wis. 173, 341
Madison, &c., R. Co. v. Herod, 10 Ind. 2, 1218
v. Norwich, &c., Society, 24 Ind. 457, 213, 297, 350, 351, 481
v. Stevens, 6 Ind. 379, 126
v. Taffe, 37 Ind. 361, 1698
v. Whiteneck, 8 Ind. 217, 660, 669
v. Whitesel, 11 Ind. 55, 1692
Madisonville Trac. Co. v. Mining Co., 196 U. S. 239, 656a
v. St. Bernard, &c., Co., 196 U. S. 239, 646, 649, 654, 980, 1010a
Mad River R. Co. v. Fulton, 20 Ohio, 318, 1647, 1660
Mad River, &c., R. Co. v. Barber, 5 Ohio St. 541, 302, 1284, 1287, 1288, 1292, 1766
Madry v. Cox, 73 Tex. 538, 826
Magee v. Brooklyn, 144 N. Y. 265, 1000, 1001, 1003b
Magee v. Carpenter, 4 Ala. 469, 501
v. Chicago, &c., R. Co., 82 Iowa, 249, 1313
v. Chicago, &c., R. Co., 89 Ia. 752, 1315d
v. Cowperthwaite, 10 Ala. 966, 584
v. North Pacific R. Co., 78 Cal. 430, 1192, 1270
v. O'Neill, 19 S. Car. 170, 383
v. Oregon, &c., Co., 46 Fed. 734, 1637
Mager v. Grima, 8 How. (U. S.) 490, 1081
Maggett v. Roberts, 108 N. Car. 174, 713
Maggie Hammond, The, 9 Wall. 435, 1455
Maggioli v. St. Louis Transit Co., 108 Mo. App. 416, 1840
Maghee v. Camden & A. R. Co., 45 N. Y. 514, 1417, 1440, 1446, 1479
Magill v. Kauffman, 4 Serg. & Rawle (Pa.), 317, 170
Maginnis v. Knickerbocker, &c., Co., 112 Wis. 385, 950
Magniac v. Thomson, 15 How. 281, 888
Magnin v. Dinsmore, 62 N. Y. 35, 1421, 1491, 1501, 1510
v. Dinsmore, 56 N. Y. 168, 1454, 1457, 1738
v. Dinsmore, 70 N. Y. 410, 1490
Magoffin v. Missouri, &c., R. Co., 102 Mo. 540, 1578
Magoon v. Boston, &c., R. Co., 67 Vt. 177, 1169
Magoun v. Illinois, 170 U. S. 283, 772a
Magrane v. St. Louis, &c., R. Co., 183 Mo. 119, 1096cw, 1630a, 1842
Magruder v. Gage, 33 Md. 344, 1414
Maguire v. Fitchburg Railroad Co., 146 Mass. 379, 1357
v. Middlesex, &c., R. Co., 115 Mass. 239, 1630
v. St. Louis Trans. Co., 103 Mo. App. 459, 1815, 1840
v. Sheehan, 117 Fed. 819, 1806
Mahady v. Bushwick, &c., R. Co., 91 N. Y. 148, 1088
Mahan v. Wood, 44 Cal. 462, 45
Mahany v. Kephart, 15 W. Va. 609, 624
Maharjah, The, 40 Fed. 784, 1274
Mahaska, &c., R. Co. v. Des Moines Valley R. Co., 28 Iowa, 437, 67, 928, 929
Maher v. Atlantic, &c., R. Co., 64 Mo. 267, 1204
v. Boston, &c., R. Co., 158 Mass. 36, 1357
v. Metropolitan St. R. Co., 102 App. Div. (N. Y.) 517, 1689g
Mahon v. Blake, 125 Mass. 477, 1491, 1519, 1535
v. New York Cent. R. Co., 24 N. Y. 658, 977, 1056
v. Olive Branch, 18 La. Ann. 107, 1718
v. Union Depot, &c., Co., 34 Minn. 29, 1096ce
Mahone v. Manchester, &c., R. Co., 111 Mass. 72, 23
v. Atlantic, &c., R. Co., 63 Me. 68, 468, 471, 1573
v. Comry, 103 Pa. St. 362, 953
v. Dankwart, 108 Ia. 321, 1817
v. Detroit, &c., R. Co., 93 Mich. 612, 1576, 1594
v. Spring Valley Water Works, 52 Cal. 159, 958

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Mahoney Mining Co. v. Anglo-Californian Bank, 104 U. S. 192, 235, 244, 492
Maignan v. New Orleans, &c., R. Co., 24 La. Ann. 333, 1528
Maimone v. Dry Dock, &c., R. Co., 58 App. Div. (N. Y.) 383, 1800
Main v. Mills, 6 Biss. (U. S.) 98, 310, 315
Maine v. Chicago, &c., R. Co., 109 Iowa, 260, 1379, 1388
v. Grand Trunk, &c., Co., 142 U. S. 217, 758, 759, 762, 1671
Maine Central R. Co. v. State of Maine, 96 U. S. 499, 339, 770
Maingault v. Springs, 199 U. S. 473, 629
Mairo v. Baltimore, &c., R. Co., 175 N. Y. 409, 1532
Maisels v. Dry Dock, &c., R. Co., 16 App. Div. (N. Y.) 391, 1841
Maish v. Bird, 59 Iowa, 307, 556
Maison St. Joseph du Sault au Recollect v. Montreal Park, &c., R. Co., Rap. Jud. Que. 19 C. S. 484, 942
Majestic, The, 60 Fed. 624, 1650, 1661
Majestic, The, 166 U. S. 375, 1455, 1649, 1661
Major v. Oregon, &c., R. Co., 21 Utah, 141, 1831
Malady v. Bushwich, &c., R. Co., 91 N. Y. 148, 1096d
Malcolm v. Allen, 49 N. Y. 448, 505
v. Fuller, 152 Mass. 160, 1318, 1345, 1353
v. Richmond, &c., R. Co., 106 N. Car. 63, 1589, 1628c, 1630
Malecek v. Tower Grove, &c., R. Co., 57 Mo. 17, 217, 1638
Malendy v. Keen, 89 Ill. 395, 127
Mali v. Lord, 39 N. Y. 381, 1265
Malin v. McCutheon, 33 Tex. Civ. App. 387, 1798
Mallard v. Ninth Ave. R. Co., 7 N. Y. S. 666, 1094, 1096cp
Mallett v. Simpson, 94 N. C. 37, 378, 393, 415
v. Uncle Sam, &c., Co., 1 Nev. 188, 246
Mallory v. La Crosse, &c., Co., 80 Wis. 170, 1068
v. Mallory Wheeler Co., 61 Conn. 135, 11
v. Tioga R. Co., 39 Barb. 488, 1394, 1396, 1398
v. West Shore, &c., R. Co., 3 J. & S. (N. Y. Super. Ct.) 174, 506, 507
Malloy v. Benway, 34 Wash. 315, 1689b, 1689e
v. Chicago, &c., R. Co., 109 Wis. 29, 1512, 1714
v. Northern Pac. R. Co., 151 Fed. 1019, 1358e
Malone v. Boston R. Co., 12 Gray (Mass.), 388, 1501, 1661
v. Burlington, &c., R. Co., 61 Iowa, 326, 1344, 1355
v. Burlington, &c., R. Co., 65 Iowa, 417, 1344, 1355
v. Hathaway, 64 N. Y. 38, 1321, 1329
v. Philadelphia, &c., R. Co., 157 Pa. St. 430, 1059
v. Richmond, &c., R. Co., 35 Fed. R. 625, 651
v. Toledo, 34 Ohio St. 541, 972
Malone v. Toledo, 28 Ohio St. 643, 972
Maloney v. Florence, &c., R. Co., 89 Pac. 649, 1333a
v. Malcolm, 31 Mo. 45, 1061
Malott v. Collinsville, &c., Elec. R. Co., 108 Fed. 313, 1013b, 1096bb, 1096bg, 1122, 1135
v. Hawkins, 159 Ind. 127, 1153, 1158, 1166, 1167, 1179a, 1702
v. Sample, 164 Ind. 645, 1689b, 1702
v. Shimer, 153 Ind. 35, 537, 573, 1361a
v. Woods, 109 Ill. App. 512, 1820
Maloy v. Port Royal, &c., R. Co. (Ga.) 22 S. E. 588, 1350
v. Wabash, &c., R. Co., 84 Mo. 270, 1172
Maltby's Case, 1 Dow. 294, 232
Maltby v. Chicago, &c., R. Co., 52 Minn. 108, 1097, 1105, 1111
v. Northwestern, &c., R. R. Co., 16 Md. 422, 102
Malton v. Nesbit, 1 Car. & P. 70, 1243a
Mammersburg v. Metropolitan St. R. Co., 62 Mo. App. 563, 1782
Mammoth Copperopolis, &c., In re, 50 L. J. Chan. 11, 318
Manahzan v. Steinway, &c., R. Co., 125 N. Y. 760, 1261
Manchester v. Milne, 1 Abbot Admr. 115, 1420
Manchester Locomotive Works v. Truesdale, 44 Minn. 115, 528
Manchester St. R. Co. v. Williams, 71 N. H. 312, 103
Manchester, &c., Co., In re, 60 Am. & Eng. R. R. Cas. 541, 605
Manchester, &c., Co., In re, L. R. (1893) 2 Ch. 638, 605
Manchester, &c., R. Co., In re, L. R. 14 Ch. Div. 645, 538, 544, 548, 561, 566
Manchester, &c., Co. v. Oregon R., &c., Co., 46 Ore. 162, 1689l
Manchester, &c., R. Co. v. Brown, L. R. 8 App. Cas. 703, 1495, 1504
v. Concord, &c., R. Co., 66 N. H. 100, 42, 337, 365, 366, 369, 388, 452, 1675
v. Denaby, &c., Co., L. R. 13 Q. B. Div. 674, 1677
v. Fisk, 33 N. H. 297, 224, 258, 1569, 1709
v. Fullarton, 14 Com. B. N. S. 54, 1264
v. Keene, 62 N. H. 81, 851, 851a, 863, 986, 1052
Mandel v. Swan, &c., R. Co., 154 Ill. 177, 111a, 150
Manderson, In re, 51 Fed. 504, 980
Mandeville v. Courtright, 126 Fed. 1007, 190
Maney v. Chicago, &c., R. Co., 49 Ill. App. 105, 1376
Mangam v. Brooklyn R. Co., 38 N. Y. 455, 1095, 1172, 1261, 1262
v. Brooklyn City R. Co., 36 Barb. (N. Y.) 230, 1096cb
Mangold v. St. Louis, &c., R. Co., 116 Mo. App. 606, 1180, 1181, 1199
Mangrum v. Truesdale, 128 Cal. 145, 1060a
Manhattan Beach Co. v. Harned, 27 Fed. 484, 89
Manhattan R. Co. v. Comstock, 74 App. Div. (N. Y.) 341, 1053
Manhattan Trust Co. v. Sioux City Cable R. Co., 68 Fed. 82, 6, 500

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Manhattan, &c., Co. v. Forty-second, &c., R. Co., 139 N. Y. 146, 288
Manhattan, &c., R. Co. v. Keeler, 32 Kan. 163, 1231
v. Stroub, 68 Hun, 90, 1034
Manheim, &c., Co. v. Arndt, 31 Pa. St. 317, 45
Manion v. Louisville, &c., R. Co., 90 Ky. 491, 1031, 1033
Manistee Lumber Co. v. Union Nat. Bank, 143 Ill. 490, 13
Manistee, &c., R. Co. v. Fowler, 73 Mich. 217, 1029, 1030a
Mankey v. Chicago, &c., R. Co., 14 S. Dak. 468, 1206
Manley v. St. Helena, &c., R. Co., 2 Hurl. & N. 840, 1102, 1111
Manlove v. Burger, 38 Ind. 211, 563, 568
Manly v. Wilmington, &c., R. Co., 74 N. Car. 655, 1172
Mann v. Belt R. Co., 128 Ind. 138, 1165, 1166, 1703
v. Birchard, 40 Vt. 326, 303, 1483, 1516, 1720
v. Burt, 35 Kan. 10, 1061
v. Butler, 2 Barb. Ch. (N. Y.) 362, 62
v. Central Vermont R. Co., 55 Vt. 484, 1176
v. Chicago, &c., R. Co., 86 Mo. 347, 1146, 1176
v. Cooke, 20 Conn. 178, 90, 112, 150
v. Corrigan, 28 Kan. 194, 1065
v. Glauber, 96 Ga. 795, 1414
v. Oriental, &c., Works, 11 R. I. 152, 1304
v. O'Sullivan, 126 Cal. 61, 1768
v. Pentz, 3 N. Y. 415, 73, 133, 182
v. Pere Marquette R. Co., 97 N. W. 721, 1236
v. Philadelphia Trac. Co., 175 Pa. St. 122, 1096cz
v. Philadelphia, &c., R. Co. (Pa. St.) 34 Atl. R. 572, 1630
v. White River, &c., Co., 46 Mich. 38, 1543
Mann, &c., Co. v. Dupre, 21 L. R. A. 289, 1616, 1618, 1619
v. Dupre, 54 Fed. 646, 1620, 1622, 1640, 1689h
Mannel v. Detroit, &c., R. Co., 139 Mich. 106, 1096i
Mannheim Ins. Co. v. Erie, &c., Co., 72 Minn. 357, 1684i
Manning v. Chicago, &c., R. Co. (Mich.) 63 N. W. 312, 1269, 1296
v. Chicago, &c., R. Co., 105 Mich. 260, 1296
v. Insurance Co., 100 U. S. 698, 1701
v. Louisville, &c., R. Co., 95 Ala. 392, 200, 201, 1637
v. Manchester Mills, 70 N. H. 582, 1780
v. Mathews, 66 Iowa, 575, 886
v. Norfolk, &c., R. R. Co., 29 Fed. 838, 484, 486, 514
v. Quicksilver Min. Co., 24 Hun, 360, 84
Mansell v. Midland, &c., R. Co., 1 Hem. & Miller, 130, 374
Manser v. Eastern Counties R. Co., 3 L. T. R. (N. S.) 585, 1278
Mansfield v. Fuller, 50 Mo. 338, 918
v. New York, &c., R. Co., 102 N. Y. 205, 1058
Mansfield, &c., Ins. Co. v. Cleveland, &c., R. Co., 77 N. E. 269, 1236
Mansfield, &c., R. Co. v. Brown, 26 Ohio St. 223, 113, 121, 326, 327, 328, 329, 335
v. Clark, 23 Mich. 519, 393, 954, 960, 1047
v. Drinker, 30 Mich. 124, 323, 326, 327
v. Pettis, 26 Ohio St. 259, 327
v. Stout, 26 Ohio St. 241, 113, 325, 328, 329
v. Swan, 111 U. S. 379, 649, 655
v. Veeder, 17 Ohio, 385, 1058a, 1059
Manson v. Eddy, 3 Tex. Civ. App. 148, 1270, 1297
v. Jacob, 93 Mo. 331, 1442
v. South Bound R. Co., 64 S. Car. 120, 1049a
v. State, 24 Ohio St. 590, 734
Mantel v. Chicago, &c., R. Co., 33 Minn. 62, 1167
Manufacturing Co. v. Morrisey, 40 Ohio St. 148, 1295
Manufacturers' Sav. Bank v. Big Muddy Iron Co., 97 Mo. 38, 276
Manufacturers', &c., Loan Co. v. Odd Fellows Hall Assn., 48 Pa. St. 446, 232
Manufacturers', &c., R. Co. v. Cleary, Ky. 89 S. W. 248, 165
Manville v. Cleveland, &c., R. Co., 11 Ohio St. 417, 1300, 1578, 1645
v. Edgar, 8 Mo. App. 324, 189
v. Karst, 16 Fed. 173, 186
Manwell v. Burlington, &c., R. Co., 80 Iowa, 662, 1189, 1209, 1216, 1218, 1219
Manz v. St. Louis, &c., R. Co., 2 West. 472, 1219
Manzoni v. Douglas, 6 L. R. Q. B. D. 145, 1163
Maples v. New York, &c., R. Co., 38 Conn. 557, 1594
Marable v. Southern R. Co., 55 S. E. 355, 1583, 1629
Marande v. Texas, &c., R. Co., 102 Fed. 246, 1519
v. Texas, &c., R. Co., 184 U. S. 173, 1243, 1508
Marble Co. v. Harvey, 92 Tenn. 115, 371
v. Ripley, 10 Wall. (U. S.) 339, 936
Marbury v. Ehlen, 72 Md. 206, 94
v. Kentucky Union Land Co., 62 Fed. 335, 481
Marceau v. Stanley, 5 Colo. App. 335, 1075
March v. Eastern R. Co., 40 N. H. 548, 27, 317, 372, 509, 634
v. Eastern R. Co., 43 N. H. 515, 232, 304, 305, 312, 321
v. Fairbury, &c., R. Co., 64 Ill. 414, 362
v. Portsmouth, &c., R. Co., 19 N. H. 372, 995, 996, 1005, 1036
v. Walker, 48 Tex. 372, 1376
Marchal v. Indianapolis St. R. Co., 28 Ind. App. 133, 1095
Marchand v. Town of Maple Grove, 48 Minn. 281, 948
Marckwald v. Oceanic, &c., Co., 11 Hun, 462, 1490
Marcott v. Marquette, &c., R. Co., 47 Mich. 1, 1159, 1160
v. Marquette, &c., R. Co., 49 Mich. 99, 1190
Marcum v. Smith, 26 Mo. App. 460, 1702
Marcy v. Clark, 17 Mass. 330, 92
v. Township of Oswego, 92 U. S. 637, 894, 898, 901, 903

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Marden v. Boston, &c., R. Co., 159 Mass. 393, 1261
v. Portsmouth, &c., R. Co., 100 Me. 41, 1096bq, 1096ch, 1166a
Mares v. Northern Pac. R. Co., 3 Dak. 336, 1689g
Markey v. Griffin, 109 Ill. App. 212, 1689e
Margo v. Pennsylvania Co., 213 Pa. St. 463, 1628b
Maricopa, &c., R. Co. v. Arizona, 156 U. S. 347, 745, 798
Marie v. Garrison, 83 N. Y. 14, 521, 532, 534
Marietta, &c., R. R. Co. v. Elliott, 10 Ohio St. 57, 45, 163
v. Western U. Tel. Co., 38 Ohio St. 24, 41
Marine Bank v. Wright, 48 N. Y. 1, 1426, 1427, 1429
Marine, &c., Ins. Co. v. St. Louis, &c., R. Co., 41 Fed. 643, 1077, 1090
Mariner's Bank v. Sewall, 50 Me. 220, 609
Marion v. Chicago, &c., R. Co., 59 Iowa, 428, 221, 1255
v. Chicago, &c., R. Co., 64 Ia. 568, 1789
Marion Co. v. Center, 105 Ind. 422, 856
Marion County v. Harvey County, 26 Kan. 181, 853
Marion Co. Lumber Co. v. Tilghman Lumber Co., 75 S. Car. 220, 921
Marion Mfg. Co. v. Harding, 155 Ind. 648, 226
Marion St. R. Co. v. Shaffer, 9 Ind. App. 486, 1096cz, 1630
Marion Trust Co. v. Indianapolis, 75 N. E. 834, 782
Marion, &c., Co. v. Hodge, 9 Ind. 163, 342
v. Norris, 37 Ind. 424, 179
v. Perry, 74 Fed. 425, 62
Marion, &c., R. Co. v. Dubois, 23 Ind. App. 342, 1096cn, 1263
v. Ward, 9 Ind. 123, 1029
Mark v. State, 97 N. Y. 572, 1007
Markel v. Evans, 47 Ind. 326, 510
Market St. R. Co. v. Central R. Co., 51 Cal. 583, 966, 1096ac, 1135
v. Hellman, 109 Cal. 571, 323, 325, 328, 335a
Market St., &c., R. Co. v. Union, &c., R. Co., 10 Phila. (Pa.) 43, 1116
Markey v. Louisiana, &c., R. Co., 185 Mo. 348, 467
Markham v. Brown, 8 N. H. 523, 199
Markoe v. Wakeman, 107 Ill. 251, 934
Markowitz v. Metropolitan St. R. Co., 186 Mo. 350, 1174
v. Pittsburgh, &c., R. Co., 65 Atl. 1097, 1037
Marks, In re, 6 N. Y. Supp. 105, 956
Marks v. Indianapolis, &c., R. Co., 38 Ind. 440, 1061, 1065
v. Long Island R. Co., 3 N. Y. S. 562, 1809
v. New Orleans, &c., Co., 107 La. Ann. 172, 1474
v. Petersburg, &c., R. Co., 88 Va. 1, 1168, 1172
v. Purdue University, 37 Ind. 155, 824
Markwood v. Southern Ry. Co., 65 Fed. 817, 26, 29
Marland v. Pittsburgh, &c., R. Co., 123 Pa. St. 487, 1166
Marlborough Branch R. R. Co. v. Arnold, 9 Gray (Mass.), 159, 102, 108
Marlborough, &c., Co. v. Smith, 2 Conn. 579, 135, 163, 252, 440
Marling v. Burlington, &c., R. Co., 67 Iowa, 331, 1052
Marlor v. Philadelphia, &c., R. Co., 166 Pa. St. 524, 963
v. Texas, &c., Ry. Co., 21 Fed. 383, 482
v. Texas, &c., R. Co., 19 Fed. 867, 514
Maroney v. Old Colony, &c., R. Co., 106 Mass. 153, 202, 1626
Marquette v. Chicago, &c., R. Co., 33 Iowa, 562, 200, 1630a, 1637
Marquette, &c., R. Co. v. Kirkwood, 45 Mich. 51, 1448, 1450, 1452
v. Langton, 32 Mich. 251, 334, 1737
v. Longyear, 133 Mich. 94, 1027, 1029, 1053, 1053a
v. Probate Judge, 53 Mich. 217, 1041, 1042, 1044, 1046
v. Spear, 44 Mich. 169, 1238
v. Taft, 28 Mich. 289, 220, 222
Marr v. Bank, 4 Coldw. (Tenn.) 471, 608, 614
v. Littlewood, 2 Myl. & Cr. 455, 551, 584
Marriott v. London, &c., R. Co., 1 C. B. (N. S.) 499, 1678
Marrmonstein v. Pennsylvania R. Co., 34 N. Y. S. 97, 303
Marrus v. New Haven Steamboat Co., 30 Misc. (N. Y.) 421, 1514
Mars v. President of Delaware, &c., R. Co., 54 Hun, 625, 1635
Marseilles Extension R. Co., In re, L. R. 7 Ch. App. 161, 260
Marseilles Land Co. v. Aldrich, 86 Ill. 504, 634
Marsh, Matter of, 71 N. Y. 315, 1027
Marsh v. Burroughs, 1 Woods, 463, 133, 134, 142, 146, 180, 183
v. Chicago, &c., Co., 79 Iowa, 332, 303
v. Chickering, 101 N. Y. 396, 1277, 1278a, 1295
v. Fairbury, &c., Co., 64 Ill. 414, 386, 928
v. Fulton County, 10 Wall. 676, 126, 827, 831, 836, 839, 875, 876, 886, 887, 908, 913
v. Holley, 42 Conn. 453, 934
v. Horne, 5 Barn. & Cress. 322, 1516
v. Union Pac. R. Co., 3 McCrary (U. S. C. C.), 236, 1451
v. Union Pac. R. Co., 9 Fed. 873, 1570
v. Town of Elgin, 8 Fed. R. 783, 484
Marshall v. American Express Co., 7 Wis. 1, 1530
v. Baltimore R. Co., 16 How. (U. S.) 314, 23, 382, 649, 1663
v. Bank, 85 Va. 676, 282
v. Boston, &c., R. Co., 81 N. E. 195, 1842
v. Boston, &c., R. Co., 145 Mass. 164, 1600, 1637
v. Clark, 22 Tex. 317, 700
v. Farmers', &c., Bank, 85 Va. 676, 281
v. Golden Fleece, &c., Co., 16 Nev. 156, 154
v. Great Eastern R. Co., 48 Ill. 475, 1689l
v. Green Bay, &c., R. Co., 125 Wis. 96, 1165, 1179b, 1703
v. Harris, 55 Iowa, 182, 188

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Marshall v. Holmes, 141 U. S. 589, 648, 654
v. Macon, &c., Co., 103 Ga. 725, 1368
v. Nashville R., &c., Co., 101 S. W. 419, 1608
v. Pontiac, &c., R. Co., 126 Mich. 45, 1652a, 1656
v. Railway Co., 78 Mo. 610, 1628a
v. Silliman, 61 Ill. 218, 822, 843
v. Wabash, &c., R. Co., 46 Fed. 269, 1866
v. Wabash, &c., R. Co., 120 Mo. 275, 1368
v. Wellwood, 38 N. J. L. 399, 1299
v. Western R. R. Co., 92 N. Car. 322, 2, 531
v. York, &c., R. Co., 11 C. B. (73 E. C. L.) 655, 1660, 1693, 1694
Marshall County v. Cook, 38 Ill. 44, 885
v. Schenck, 5 Wall. (U. S.) 772, 14
Marshall Foundry Co. v. Killian, 99 N. Car. 501, 102, 110
Marsteller v. Mills, 143 N. Y. 398, 609
Marten v. Paul O'Burns, &c., Co., 99 Cal. 355, 132
Martensen v. Chicago, &c., R. Co., 60 Ia. 705, 1314
Martin, Ex Parte, 13 Ark. 198, 979, 1010
Martin, The D. R., 11 Blatch. 233, 1453
Martin v. American Express Co., 19 Wis. 336, 1446, 1713
v. Atchison, 2 Idaho, 590, 571
v. Ballou, 13 Barb. (N. Y.) 119, 940
v. Baltimore, &c., R. Co., 41 Fed. 125, 1384
v. Baltimore, &c., R. R. Co., 151 U. S. 673, 29, 649, 653, 655
v. Baltimore, &c., R. Co., 2 Marv. (Del.) 123, 1689g
v. Boston, &c., R. Co., 175 Mass. 502, 1363
v. California, &c., R. Co., 94 Cal. 645, 1274
v. Chicago, &c., Elec. R. Co., 220 Ill. 97, 1096bm
v. Chicago, &c., R. Co., 87 N. W. 654, 1301a
v. Chicago, &c., R. Co., 65 Fed. 384, 1318
v. Chicago, &c., R. Co., 2 Interst. Com. Com. 25, 1682
v. Clover, 17 N. Y. 638, 505
v. Continental Pass. R. Co., 14 Phila. (Pa.) 10, 252
v. Deets, 102 Cal. 55, 18
v. Des Moines, &c., R. Co., 106 N. W. 359, 1288, 1288a
v. Dist. of Columbia, 27 Sup. Ct. 440, 786
v. Dist. of Columbia, 26 App. D. C. 146, 1025
v. Dix, 52 Miss. 53, 824, 951
v. Fewell, 79 Mo. 401, 190
v. Ft. Worth, &c., R. Co., 3 Tex. Civ. App. 556, 1713
v. Great Northern, &c., R. Co., 16 C. B. 179, 1313, 1590
v. Highland Co., 128 N. Car. 264, 1278a
v. Hunter, 1 Wheat. 304, 1670
v. Jett, 12 La. Ann. 501, 1057f
v. Land, &c., Bank, 5 Tex. Civ. App. 167, 505
v. Leslie, 93 Ill. App. 44, 1798
v. Little Rock, &c., R. Co. (Ark.) 34 S. W. 545, 1166
Martin v. London, &c., R. Co., 13 L. R. N. S. 355, 1003b
v. London, &c., R. Co., 35 L. J. Ch. 795, 1025
v. London, &c., R. Co., L. R. 1 Eq. Cas. 145, 1025
v. Louisville, &c., R. Co., 95 Ky. 612, 1269, 1320
v. McLaughlin, 9 Colo. 153, 1571
v. Maine Cent. R. Co., Rap. Jud. Que. 19 C. S. 561, 996
v. Marks, 97 U. S. 345, 796
v. Martin, 14 Ore. 165, 584
v. Mayor, &c., of Brooklyn, 1 Hill (N. Y.), 545, 1032
v. Mobile, &c., R. Co., 7 Bush (Ky.), 116, 624
v. Mott, 12 Wheat. 19, 865
v. Nashville, &c., Assn., 2 Cold. (Tenn.) 418, 191, 194
v. New York, &c., R. Co., 36 N. J. Eq. 109, 566, 567, 590, 945, 1611
v. New York, &c., R. Co., 62 Hun, 181, 1226
v. New York, &c., R. Co., 62 Conn. 331, 1223, 1241
v. New York, &c., Co., 103 N. Y. 626, 218, 1689l
v. Noble, 29 Ind. 216, 512
v. O'Brien, 34 Miss. 21, 32
v. Pensacola R. Co., 8 Fla. 390, 45, 114, 117, 121, 386
v. People, 87 Ill. 524, 835
v. Pittsburgh, &c., R. Co., 27 Sup. Ct. 100, 1578a
v. Railroad Co., 151 U. S. 673, 23
v. Rushton, 42 Ala. 289, 1041
v. St. Louis, &c., R. Co., 55 Ark. 510, 1404, 1413, 1418
v. St. Louis, &c., R. Co., 134 Fed. 134, 650a, 652
v. Somerville, &c., Co., 27 How. Pr. 161, 534
v. South Salem Land Co., 94 Va. 28, 110
v. Southern, &c., Co., 2 Interst. Com. Com. 1, 1678a, 1680
v. Stewart, 73 Wis. 553, 1209
v. Texas, &c., R. Co. (Tex.) 26 S. W. 1052, 1245
v. Towle, 59 N. H. 31, 1177
v. Tyler, 4 N. Dak. 278, 986, 1012
v. Wabash R. Co., 142 Fed. 650, 1327
v. Ward, 60 Ark. 510, 514
v. Webb, 110 U. S. 7, 287
v. Western, &c., R. Co., 23 Wis. 437, 1225, 1244
v. Zellerbach, 38 Cal. 300, 228
Martindale v. Kansas City, &c., R. Co., 60 Mo. 508, 362, 407, 1593
Martinsburg, &c., R. Co. v. March, 114 U. S. 549, 1058, 1059
Martinsville, &c., R. Co. v. Bridges, 6 Ind. 400, 1028, 1029a
Martus v. Delaware, &c., R. Co., 36 N. Y. S. 417, 1096ck
Marty v. Chicago, &c., R. Co., 38 Minn. 108, 1165
Martz v. Cincinnati, &c., R. Co., 12 O. C. C. 144, 1782
Marvin v. Anderson, 11 Wis. 387, 95
v. Chicago, &c., R. Co. 79 Wis. 140, 1231
v. Maysville, &c., R. Co., 49 Fed. 436, 1371, 1372

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Marvin v. Wilber, 52 N. Y. 270, 210
Mary v. Baltimore, &c., R. Co., 127 U. S. 117, 755
Mary Lee Coal Co. v. Chambliss, 97 Ala. 171, 1267, 1304, 1689c
Marye v. Hart, 76 Cal. 291, 507
v. Railroad Co., 127 U. S. 117, 755
Maryland v. Pittsburg, &c., R. Co., 123 Pa. 487, 1179b
Maryland Cent. R. Co. v. Neuber, 62 Md. 391, 1175
Maryland, &c., Co. v. Spilman, 76 Md. 337, 1075
Marysville, &c., Co. v. Johnson, 93 Cal. 538, 102
Marx v. The Brittannia, 34 Fed. 906, 1513
Maschek v. St. Louis, &c., R. Co., 71 Mo. 276, 1096cp
Mase v. Northern Pac. R. Co., 57 Fed. 283, 1318
Maslin v. Baltimore, &c., R. Co., 14 W. Va. 180, 1455, 1497, 1545, 1546, 1605, 1608
Mason v. Atlantic Ave. R. Co., 4 Misc. (N. Y.) 291, 1096ce
v. Beebee, 44 Fed. 556, 627
v. Brooklyn, &c., R. Co., 35 Barb. (N. Y.) 373, 41, 926, 962
v. Chicago, &c., R. Co., 89 Wis. 151, 1249, 1252
v. Chicago, &c., R. Co., 12 Int. C. R. 70, 1662c
v. Decker, 72 N. Y. 595, 92
v. Germaine, 1 Mont. 263, 1073
v. Great Western R. Co., 31 U. C. Q. B. 73, 1426, 1429
v. Iowa Cent. R. Co., 109 N. W. 1, 1030a
v. Kennebec, &c., R. Co., 31 Me. 215, 996, 1004, 1005, 1048
v. Lake Erie, &c., R. Co., 9 Biss. (U. S.) 239, 972
v. London, &c., R. Co., 37 L. J. R. (Ch.) 483, 924
v. Macon, &c., R. Co., 123 Ga. 773, 1814
v. Messenger, 17 Iowa, 261, 1019
v. Mining Co., 133 U. S. 50, 59
v. Missouri P. R. Co., 25 Mo. App. 473, 1403, 1478, 1479, 1548, 1550, 1551a
v. Missouri, &c., R. Co., 27 Kan. 83, 1153, 1257, 1580
v. New York, &c., R. R. Co., 52 Me. 82, 501
v. Ohio River R. Co., 51 W. Va. 183, 718, 1079, 1092, 1096ae
v. Pewabic Min. Co., 25 Fed. 882, 169, 533, 612
v. Richmond, &c., R. Co., 111 N. Car. 482, 1279, 1282, 1296, 1316, 1689h
v. St. Louis, &c., R. Co., 75 Mo. App. 1, 1773
v. Shawneetown, 77 Ill. 533, 819
v. Stokes Bay Pier, &c., R. Co., 32 L. J. Ch. 110, 1048
v. Wilson, 43 Ark. 172, 1539a
v. York, &c., R. Co., 52 Me. 82, 509, 527
Mason City, &c., Co. v. Mason, 23 W. Va. 211, 1049
Mason City, &c., R. Co. v. Wolf, 148 Fed. 961, 995
Masonic Temple Assn. v. Chanwell, 43 Minn. 353, 111, 111a, 115
Massachusetts Iron Co. v. Hooper, 7 Cush. (Mass.) 183, 99
Massachusetts Genl. Hospital v. State Mut. L. A. Co., 4 Gray (Mass.), 227, 61
Massachusetts, &c., Co. v. Cane Creek Tp., 45 Fed. 336, 845
v. Chicago, &c., R. Co., 13 Fed. 857, 529
v. Hamilton, 88 Fed. 588, 3, 6
v. Township of Cherokee, 42 Fed. 750, 917, 918
Massachusetts, &c., R. Co. v. Boston, &c., R. Co., 121 Mass. 124, 966, 1102, 1103, 1126, 1127, 1129
v. Fitchburg, &c., R. Co., 143 Mass. 318, 1558
Massaker v. Mackerley, 9 N. J. Eq. 440, 505
Masser v. Chicago, &c., R. Co., 68 Iowa, 602, 1260, 1261
Massey v. Citizens' Assn., 22 Kan. 624, 18
v. Papin, 24 How. 362, 810
Massillon Bridge Co. v. Cambridge Iron Co., 59 Ohio St. 179, 6
Massing v. Ames, 37 Wis. 645, 783
Massoth v. Delaware, &c., R. Co., 64 N. Y. 524, 1155, 1160, 1703
Mast v. Kern, 34 Ore. 247, 1322
Masters v. Electric, &c., Co., 6 Daly (N. Y.), 455, 608
v. McHolland, 12 Kan. 17, 1034
v. Rossie, &c., Co., 2 Sandf. Ch. 301, 183
v. Warren, 27 Conn. 293, 1816
Masterson v. Macon City, &c., St. R. Co., 88 Ga. 436, 1628
v. Mayor of Brooklyn, 7 Hill, 61, 1062
v. New York, &c., R. Co., 84 N. Y. 247, 1092, 1105, 1174, 1178
Masury v. Arkansas National Bank, 93 Fed. 603, 79
Matchett v. Cincinnati, &c., R. Co., 132 Ind. 334, 1282, 1311
Mateer v. Missouri, &c., R. Co., 105 Mo. 320, 1279, 1377
Matheis v. Mazet, 164 Pa. St. 580, 1803
Mather v. American Ex. Co., 138 Mass. 55, 1401, 1740
v. Eureka Mower Co., 118 N. Y. 629, 272
v. Rilliston, 156 U. S. 391, 1273, 1283
Mather v. Gordon, 77 Conn. 341, 1429a
Mathes v. Lowell, &c., R., 177 Mass. 416, 1096cj
v. Neidig, 72 N. Y. 100, 186
Mathesius v. Brooklyn Heights R. Co., 96 Fed. 792, 481
Matheson v. New York Cent. R. Co., 62 Barb. (N. Y.) 364, 1800
Mathew v. Wabash R. Co., 78 S. W. 271, 1806, 1831
Mathews v. Bensel, 51 N. J. L. 30, 1250
v. Corp. Com'rs, 97 Fed. 400, 689
v. London St., &c., R. Co., 60 L. T. R. 47, 1096cb
v. St. Louis, &c., R. Co., 121 Mo. 298, 665, 1223
v. St. Paul, &c., R. Co., 18 Minn. 434, 949, 1005
Mathieson v. Omaha St. R. Co., 3 Neb. (unoff.) 743, 1790
Mathis v. Kansas City, &c., R. Co., 185 Mo. 434, 1377
v. Pridham, 1 Tex. Civ. App. 58, 78

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Matney v. Chicago, &c., R. Co., 75 Mo. App. 233, 1734
Matson v. Alley, 141 Ill. 284, 297
v. Chicago, &c., R. Co., 68 Iowa, 22, 1355
v. Port Townsend, &c., R. Co., 9 Wash. 449, 937, 1248
Matters v. Great Western R. Co., 95 Minn. 386, 1194
Mattes v. Great Northern R. Co., 110 N. W. 98, 1190
Matteson v. New York, &c., R. Co., 62 Barb. (N. Y.) 364, 269, 1800
v. N. Y., &c., R. Co., 76 N. Y. 381, 1652, 1660
Matthels v. Fremont, &c., R. Co., 53 Neb. 681, 1041, 1047
Matthewman's Case, L. R. 3 Eq. 781, 107
Matthews v. Albert, 24 Md. 527, 183
v. Board, 106 Fed. 7, 1684a
v. Great Northern, &c., R. Co., 28 L. J. Chan. 375, 83
v. Hoagland, 48 N. J. Eq. 455, 96, 97,
v. Kelsey, 58 Me. 56, 1076
v. Missouri Pac. R. Co., 142 Mo. 645, 1238, 1239, 1243a
v. Missouri, &c., R. Co., 26 Mo. App. 75, 1822
v. Murchison, 17 Fed. 760, 95, 107, 529, 534
v. Pennsylvania R. Co., 148 Pa. St. 481, 1641
v. Seaboard Air Line R. Co., 67 S. C. 499, 425
v. Skinker, 62 Mo. 329, 369
Matthewson v. Kansas City, &c., R. Co., 61 Kan. 667, 1366
Matthieson v. Burlington, &c., R. Co., 125 Ia. 90, 1641, 1839
Matthiessen v. Gusi, 29 Fed. 794, 1420
Mattingly v. Penn. Co., 2 Int. C. R. 806, 1440, 1673, 1686
v. Penn. Co., 3 Int. C. C. R. 592, 1682
Mattis v. Philadelphia Traction Co., 6 Pa. Dist. 94, 1804
Mattise v. Consumers', &c., Co., 46 La. Ann. 1535, 1329
Mattison v. N. Y., &c., R. Co., 57 N. Y. 552, 1652a, 1659
Mattoon v. Fremont, &c., R. Co. (S. Dak.) 60 N. W. 69, 1227, 1229
v. Rep., &c., R. Co., 17 Neb. 647, 720
v. Reynolds, 62 Fed. 417, 653
Mattox v. Hightshue, 39 Ind. 95, 934
Mattson v. Minnesota, &c., R. Co., 95 Minn. 477, 1174, 1262
Matz v. Chicago, &c., R. Co., 85 Fed. 180, 1361a
v. Chicago, &c., R. Co., 88 Fed. 770, 1689a
v. St. Paul City R. Co., 52 Minn. 159, 1096cz
Matze v. N. Y., &c., R. Co., 1 Hun, 417, 1154
Mauch v. Hartford, 112 Wis. 40, 1783
Mauldin v. Seaboard Air Line R. Co., 73 S. Car. 9, 1470, 1473, 1482, 1689i
Maun v. Corrigan, 28 Kan. 194, 1065
Maunsell v. Midland Great W. R. Co., 1 Hem. & M. 130, 107
Mauran v. Crown, &c., Co., 23 R. I. 324, 585
v. Insurance Co., 6 Wall. 1, 1458
v. N. Y., &c., Co., 23 Fed. 765, 1596, 1647, 1648, 1649a, 1658, 1661
Maury v. Talmadge, 2 McLean (C. C.), 157, 1583, 1585
Maux Ferry G. R. Co. v. Branegan, 40 Ind. 361, 272
Maverick v. Eighth Ave., &c., R. Co., 36 N. Y. 378, 1583
Maving v. Todd, 1 Starkie, 59, 1495
Maxey v. Mo. Pac. R. Co., 113 Mo. 1, 1150, 1154
v. Williamson County, 72 Ill. 207, 819
Maxfield v. Maine Cent. R. Co., 100 Me. 79, 1585, 1590, 1641
Maxson v. Pennsylvania R. Co., 97 N. Y. S. 962, 1598
Maxwell v. Atchison, &c., R. Co., 34 Fed. 286, 621
v. Bay City Bridge Co., 41 Mich. 453, 949
v. Board, 119 Ind. 20, 858
v. Dulwich College, 1 Fonbl. Eq. 306, 349
v. Goetschius, 40 N. J. Law, 383, 862
v. La Brune, 68 Iowa, 689, 1053
v. Southern Pac. R. Co. (La.) 19 So. 287, 1454, 1508
v. Wilmington City R. Co., 1 Marv. (Del.) 199, 1378a, 1689g
May v. Babcock, 4 Ohio, 334, 1423
v. First Nat. Bank, 122 Ill. 551, 555
v. Greenhill, 80 Ind. 124, 556
v. Holdridge, 23 Wis. 93, 862
v. Printup, 59 Ga. 128, 553
v. Rice, 91 Ind. 546, 815
v. State Bank, 40 Am. Dec. 726, 612
v. State Nat. Bank, 59 Ark. 614, 655
v. West Jersey, &c., R. Co., 62 N. J. L. 63, 1378a
v. Whittier Mach. Co., 154 Mass. 29, 1338
Mayall v. Boston, &c., Co., 19 N. H. 122, 297, 303, 1437
Mayberry v. Chicago, &c., R. Co., 75 Mo. 492, 222
v. Mutual, &c., Co., 38 Mich. 154, 66
Mayer v. Denver, T. & Ft. W. R. Co. 38 Fed. 197, 166
v. Detroit, &c., R. Co., 142 Mich. 459, 1689l
Mayes v. Chicago, &c., R. Co., 63 Iowa, 562, 1272, 1285, 1697
v. Goldsmith, 58 Ind. 94, 505
v. Metropolitan St. R. Co. (Mo. App.) 97 S. W. 612, 1096ch
v. Railroad Co., 119 N. C. 758, 1166n
Mayfield v. St. Louis, &c., R. Co., 91 Mo. 296, 1214
v. Savannah, &c., R. Co., 87 Ga. 374, 1313
Mayhew v. Burns, 103 Ind. 328, 1262, 1370
Maynard v. Bond, 67 Mo. 315, 563, 565
v. Boston, &c. Co., 115 Mass. 458, 1180, 1204, 1209, 1253
v. Fireman's Ins. Fund, 34 Cal. 48, 236

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Maynard v. Norfolk, &c., R. Co. (W. Va.) 21 S. E. 733, 1214
v. Oregon R. Co., 43 Ore. 63, 1773
v. Oregon R., &c., Co., 46 Ore. 15, 1783, 1807, 1816
Mayo v. Boston, &c., R. Co., 104 Mass. 137, 1628
v. Preston, 131 Mass. 304, 1407
v. Western, &c., Co., 112 N. C. 342, 685
Mayor, Ex parte, 23 Wend. 277, 782
v. Cowen, 88 Md. 447, 1103
v. Davenport, 92 N. Y. 604, 751
v. Harlem, &c., R. Co., 186 N. Y. 304, 1096ak, 1096al
v. Horn, 2 Harr (Del.) 190, 680
v. Humphries, 1 C. & P. 251, 1696
v. Jacques, 30 Ga. 506, 631
v. Ohio, &c., R. Co., 26 Pa. St. 355, 1096q
v. Potomac Ins. Co., 2 Baxt. 296, 486
v. Radecke, 49 Md. 217, 664
v. Richardson, 1 Stew. & P. (Ala.) 12, 1030
v. Royal, &c., Co., 45 Ala. 322, 787
v. Second St. R. Co., 32 N. Y. 261, 1096ag
v. Simpson, 8 Q. B. 65, 236
Mays v. Cincinnati, 1 Ohio St. 368, 782
v. Foster, 13 Ore. 214, 170
v. Newlin, 143 Fed. 574, 656a
v. Rose, Freem. Ch. (Miss.) 703, 540
v. Seaboard Air Line R. Co., 75 S. Car. 455, 974, 1670a
Maysville, &c., Co. v. Marvin, 59 Fed. R. 91, 1371, 1372
Maysville, &c., R. Co. v. Ball, 108 Ky. 241, 5
v. Ingram (Ky.), 30 S. W. 8, 1085
Mayton v. Texas, &c., Co., 63 Tex. 77, 215, 1305
Maywood v. Railroad Bank, 5 S. Car. 379, 94
Mayzata v. Gt. Northern R. Co., 67 Minn. 385, 1076
M. Burke, In re, 140 Fed. 971, 1539a
Meacham v. Fitchburg, &c., R. Co., 4 Cush. 291, 987, 990, 992, 995
Mead v. Ballard, 7 Wall. 290, 342
v. New York, &c., R. Co., 45 Conn. 199, 20, 27, 52, 322, 330, 339, 554
v. Parker, 115 Mass. 413, 422
v. Railway Co., 18 Weekly 735, 1692
Meaden v. Sealey, 6 Hare, 620, 549
Meador v. Lake Shore, &c., R. Co., 138 Ind. 290, 1267, 1278a, 1293
v. Lowry, 45 Iowa, 684, 943
Meadowcroft v. New York, &c., R. Co., 79 N. E. 266, 1272, 1298a
Mealman v. Union Pac. Ry. Co., 37 Fed. R. 189, 300, 1301, 1768
Mean's Appeal, 85 Pa. St. 75, 184, 188, 569
Means v. Carolina, &c. R. Co., 124 N. Car. 574, 1689l
v. Central R., 139 Fed. 543, 1628
v. Southern Cal. R. Co., 144 Cal. 473, 1250
Meara v. Holbrook, 20 Ohio St. 137, 576, 577
Mears v. New York, &c., R. Co., 75 Conn. 171, 1415, 1420, 1446
Mechanics' Bank v. Merchants' Bank, 45 Mo. 513, 99, 101
Mechanics' Bank v. New York, &c., R. Co., 13 N. Y. 599, 79, 87, 212, 594
v. Seton, 1 Pet. (U. S.) 299, 94, 98
v. Smith, 19 Johns. 115, 192
Mechanics', &c., Bank v. Bridges, 30 N. J. Law, 112, 60
v. Burnet, &c., Co., 32 N. J. Eq. 236, 244
v. Farmers', &c., Bank, 60 N. Y. 40, 1426, 1429a
Mechanics', &c., Co. v. Hall, 121 Mass. 272, 150
v. Meriden, &c., 24 Conn. 159, 251
Medbury v. New York, &c., Co., 26 Barb. 564, 303, 1799
Medcalf v. St. Paul City, &c., R. Co., 82 Minn. 18, 1095, 1703
Medeiros v. Hill, 8 Bing. 231, 1473
Medford, &c., R. Co. v. Somerville, 111 Mass. 232, 1079, 1096n
Meeder v. Buffalo Bill's Wild West Co., 132 Fed. 280, 314
Meehan v. Holyoke St. R. Co., 186 Mass. 511, 1283
Meek v. Pennsylvania R. Co., 38 Ohio St. 632, 711, 1155
Meeker v. Ashley, 56 Ia. 188, 851a, 856
v. Northern Pac. R. Co., 21 Ore. 513, 1207
v. Sprahue, 5 Wash. St. 242, 571
v. Winthrop, &c., Co., 17 Fed. R. 48, 169
Meekins v. Norfolk, &c., R. Co., 134 N. Car. 217, 1369, 1378a
Meeks v. Atlantic, 122 Ga. 266, 1628
v. Southern Pac. R. Co., 56 Cal. 513, 1158, 1257
v. Southern Pac. R. Co., 52 Cal. 602, 1158, 1262
Meesel v. Lynn, &c., R. Co., 8 Allen (Mass.), 234, 1096cz, 1630
Meginnis v. Nunamaker, 64 Pa. St. 374, 1001
Megow v. Chicago, &c., R. Co., 86 Wis. 466, 1243
Mehan v. Syracuse, &c., R. Co., 73 N. Y. 585, 1308
Mehegan v. New York, &c., R. Co., 19 N. Y. Supp. 444, 1164
Mehle v. New York, &c., R. Co., 86 Tex. 459, 1033
Meier v. Kansas Pac. R. Co., 4 Dill. (U. S.) 378, 511
v. Kansas Pac. R. Co., 5 Dill. (U. S.) 476, 561, 586
v. Pennsylvania Co., 64 Pa. St. 225, 1587, 1588
Melly v. Zurmehly, 23 Ohio St. 627, 1050, 1051
Meinrenken v. New York, &c., R. Co., 81 App. Div. (N. Y.) 132, 1179l
Meints v. East St. Louis, &c., Co., 89 Ill. 48, 182
Meir v. Pennsylvania Co., 64 Pa. St. 225, 1583
Meisenheimer v. Kellogg, 106 Wis. 30, 1714
Meissner v. Brun, 128 U. S. 474, 1558
Melbourne v. Louisville, &c., R. Co. 88 Ala. 443, 303, 1412, 1449, 1519, 1536
Melenbacker v. Salemanca, 80 N. E. 1090, 1049b
Melendy v. Barbour, 78 Va. 544, 571, 576, 577
Melhado v. Hamilton, 28 L. T. (N. S.) 578, 82

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Melhado v. Porto Alegre, &c., Ry., L. R. 9 Com. P. 503, 14, 353
Melledge v. Boston, &c., Co., 5 Cush. (Mass.) 158, 266
Mellen v. Moline, &c., Iron Works, 131 U. S. 352, 460
v. Town of Lansing, 11 Fed. 820, 831
v. Western, &c., R. Co., 4 Gray (Mass.), 301, 1004, 1057d
Mellichar v. Iowa City, 116 Ia. 390, 1028
Mellon v. Morristown, &c., R. Co., 35 S. W. 464, 1070
Mellor v. Merchants, &c., R. Co., 150 Mass. 362, 215, 1251, 1345
v. Missouri, &c., R. Co., 105 Mo. 455, 1320, 1578, 1604
v. Spateman, 1 Saund. 339, 947
Mellott v. Louisville, &c., R. Co., 101 Ky. 212, 1301a
Meloche v. Chicago, &c., R. Co., 116 Mich. 69, 1404, 1462
Melon St., In re, 182 Pa. St. 397, 1086
Meloy v. Central Nat. Bank, 17 Wash. L. R. 68, 602
Melvin v. Lamar Ins. Co., 80 Ill. 446, 103, 131, 176
v. Lisenby, 72 Ill. 63, 849
Melville, &c., R. Co. v. Baltimore, &c., R. Co., 2 Mackey (D. C.), 63, 1593
Memphis v. Bolton, 9 Heisk. 508, 982, 988
v. Dean, 8 Wall. (U. S.) 64, 553
v. Packet Co., 40 Mo. 442, 1660
v. Postal Tel., &c., Co., 145 Fed. 602, 656a, 1081
Memphis City R. Co. v. Memphis, 4 Cold. (Tenn.) 406, 1077, 1096l, 1096s
Memphis Freight Co. v. Memphis, 44 Tenn. (4 Cold.) 419, 952, 960, 961a
Memphis News Pub. Co. v. Southern R., 110 Tenn. 684, 1684g
Memphis St. R. Co. v. Giardino, 92 S. W. 855, 1377
v. Graves, 110 Tenn. 232, 1594
v. Haynes, 112 Tenn. 712, 1096ch, 1096cq
v. Kartright, 110 Tenn. 277, 1096cg, 1096cm
v. Shaw, 110 Tenn. 467, 1628a
Memphis, &c., Co. v. Abell (Ky.), 30 S. W. 658, 1560, 1564
v. Koch, 28 Kan. 565, 303
v. Lyon, 62 Ala. 71, 1183
v. Memphis, &c., R. Co., 85 Tenn. 703, 86, 213, 481
v. Orr, 43 Miss. 279, 1181
v. Southern R. Co., 110 Tenn. 684, 1454
Memphis, &c., R. Co. v. Alabama, 107 U. S. 581, 28, 339
v. Benson, 85 Tenn. 627, 200, 1637, 1785
v. Berry, 112 U. S. 609, 746
v. Bibb, 37 Ala. 699, 1206
v. Birmingham, &c., R. Co., 96 Ala. 571, 1053, 1119, 1126, 1127
v. Carliey, 39 Ark. 246, 1219, 1220b
v. Chastine, 54 Miss. 503, 1603, 1696, 1702
v. Copeland, 61 Ala. 376, 1169, 1589
v. Dow, 120 U. S. 287, 89, 110, 480, 484
v. Dow, 19 Fed. R. 214, 369
Memphis, &c., R. Co. v. Dow, 19 Fed. R. 388, 385
v. Dow, 22 Blatchf. 48, 488
v. Forest Hill Cemetery Co., 94 S. W. 69, 969
v. Freed, 38 Ark. 614, 1543a
v. Graham, 94 Ala. 545, 1293, 1314, 1357
v. Grayson, 88 Ala. 572, 167, 349, 430
v. Hembree, 84 Ala. 182, 1218
v. Hoechner, 67 Fed. R. 456, 581
v. Holloway, 9 Baxt. (Tenn.) 188, 1450, 1512
v. Hopkins, 108 Ala. 159, 1053
v. Horsfall, 36 Ark. 651, 1219
v. Kerr, 52 Ark. 162, 1205
v. McCool, 83 Ind. 392, 1644
v. Neighbors, 51 Miss. 412, 944
v. Parsons, &c. Co., 26 Kan. 503, 1023, 1034, 1055
v. Payne, 37 Miss. 700, 986, 1050, 1055
v. Railroad Commissioners, 112 U. S. 609, 29, 37, 67, 68, 72, 75, 490, 524, 525, 531, 613, 747, 958, 1096ad
v. Reeves, 77 U. S. 176, 1644, 1718, 1721
v. Salinger, 46 Ark. 528, 1630
v. Sanders, 43 Ark. 225, 1205
v. Shaw, 110 Tenn. 467, 1096cy
v. Southern, &c., R. Co., 117 U. S. 1, 1453
v. Stringfellow, 44 Ark. 322, 581
v. State, 37 Ark. 632, 644, 512
v. State, 87 Tenn. 746, 718, 787, 1092, 1096al, 1096aj
v. Sullivan, 57 Ga. 240, 45, 111, 115
v. Thomas, 51 Miss. 637, 1297, 1300, 1316
v. Thompson, 24 Kan. 170, 116, 117, 851, 861
v. Union R. Co., 95 S. W. 1019, 929, 954, 974
v. Whitfield, 44 Miss. 466, 1800, 1816
v. Whorley, 74 Ala. 264, 625
v. Wilcox, 48 Pa. 161, 1058, 1059, 1062
v. Womack, 84 Ala. 149, 218, 1154, 1248, 1257
v. Woods, 88 Ala. 630, 95, 157, 159, 165, 174, 251, 273, 275, 324, 634
Memphis, &c., Packet Co. v. Pikey, 142 Ind. 304, 1373
Menacho v. Ward, 27 Fed. R. 529, 1467, 1564, 1675, 1676
Menard v. Boston, &c., R. Co., 150 Mass. 386, 1177
v. Hood, 68 Ill. 121, 871, 872
Menasha v. Hazard, 102 U. S. 81, 126, 886, 897, 898, 913
v. Milwaukee, &c., R. Co., 52 Wis. 414, 526, 1056b
Menaugh v. Bedford, &c., R. Co., 157 Ind. 20, 1393, 1573
Mendell v. Chicago, &c., R. Co., 20 Iowa, 9, 1216
Mendehall v. Hall, 134 U. S. 559, 512
Meng v. St. Louis, &c., Co., 108 Mo. App. 553, 1096cq, 1782
Menges v. Albany, 56 N. Y. 374, 1015
Menier v. Hooper's Tel. Works, L. R. 9 Ch. 350, 169
Mennonstein v. Pennsylvania R. Co., 34 N. Y. Supp. 97, 1658

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Menominee, &c., Co. v. Milwaukee, &c., R. Co., 91 Wis. 447, 1224, 1243a, 1245a, 1689h
v. Milwaukee, &c., R. Co. (Wis.) 65 N. W. 176, 1224, 1245
Menotti v. Dillon, 167 U. S. 703, 799
Mensch v. Pennsylvania R. Co., 150 Pa. St. 598, 1270, 1296, 1309
Mensing v. Michigan Cent. R. Co., 117 Mich. 606, 1628
Mentz v. Cook, 108 N. Y. 504, 858, 902
v. Second Ave. R. Co., 3 Abb. App. Dec. (N. Y.) 274, 1095, 1096cp, 1168
Menzell v. Railway Co., 1 Dillon (U. S. C. C.), 531, 1505
Mequaid v. Portland, &c., R. Co., 18 Ore. 237, 1096d
Mercantile, &c., Bank v. Gladstone, L. R. 3 Exch. 233, 1570
Mercantile, &c., Co., In re, L. R. 4 Ch. 475, 315
Mercantile Ins. Co. v. Jaynes, 87 Ill. 199, 563
Mercantile Mut. Ins. Co. v. Calebs, 20 N. Y. 173, 1509
v. Chase, 1 E. D. Smith, 115, 1401, 1401a, 1435
Mercantile Trust Co. v. Baltimore, &c., R. Co., 82 Fed. 360, 82, 590
v. Baltimore, &c., R. Co., 79 Fed. 389, 575
v. Chicago, &c., Ry. Co., 61 Fed. R. 372, 506, 514
v. Collins Park, &c., R. Co., 101 Fed. 347, 1096au
v. Florence, &c., Co., 111 Ala. 119, 561
v. Kanawha, &c., R. Co., 39 Fed. R. 337, 555
v. Kanawha, &c., R. Co., 50 Fed. R. 874, 590, 591, 592, 594, 595
v. Kanawha, &c., R. Co., 58 Fed. R. 6, 592, 595, 596, 597
v. Missouri, &c., R. Co., 41 Fed. R. 8, 465, 582
v. Missouri, &c., R. Co., 36 Fed. R. 221, 27, 514, 540, 543, 546, 547, 549, 561, 566
v. Missouri, &c., R. Co., 36 Am. & Eng. R. Cas. 259, 546
v. Pittsburgh, &c., R. Co., 29 Fed. R. 732, 500
v. Portland, &c., R. Co. 10 Fed. R. 604, 514
v. Southern, &c., R. Co., 113 Ala. 543, 579
v. Texas, &c., Ry. Co., 51 Fed. R. 529, 514, 672, 693, 779
v. Zanesville, &c., R. R. Co., 52 Fed. R. 342, 484
Mercantile Trust, &c., R. Co. v. Low, 87 Fed. 241, 531a
Mercer v. Hacket, 1 Wall. 83, 486, 882, 898
v. Southern R. Co., 66 S. C. 246, 1172
v. Pittsburgh, &c., R. Co., 27 Pa. St. 387, 854, 881, 885, 893
Mercer County, &c., R. Co. v. United, &c., Co. (N. J.) 61 Atl. 461, 156, 1096bi
Mercer County Trac. Co. v. United, &c., Co., 64 N. J. Eq. 588, 1096bi
v. United, &c. Co., 68 N. J. Eq. 715, 1096bp
Mercer, &c., R. Co. v. Delaware, &c., R. Co., 26 N. J. Eq. 464, 1050
Merchants v. Western, &c., Assn., 56 Minn. 327, 319
Merchants' Bank v. Bergen County, 115 U. S. 384, 890
v. Chandler, 19 Wis. 434, 180
v. Crysler, 67 Fed. R. 388, 584
v. Hewitt, 3 Iowa, 93, 1415
v. Shouse, 102 Pa. St. 488, 99, 310
v. State Bank, 10 Wall. 604, 292, 492, 1702
v. Union R. Co., 69 N. Y. 373, 1428, 1430, 1523
Merchant's Cotton, &c., Co. v. Insurance Co., 151 U. S. 368, 1509
Merchants' D., &c., Co. v. Bloch, 86 Tenn. 392, 1401, 1435, 1455, 1500, 1501, 1502, 1516
v. Bolles, 80 Ill. 473, 1401, 1421, 1446
v. Cornforth, 3 Colo. 280, 1401, 1454, 1474, 1475, 1480, 1502
v. Furthmann, 149 Ill. 66, 1415, 1501, 1502, 1503, 1506
v. Hattey, 14 Can. Sup. Ct. 572, 1443
v. Joesting, 89 Ill. 152, 303, 1401, 1417, 1507
v. Kahn, 76 Ill. 520, 1440, 1443, 1490
v. Leysor, 89 Ill. 43, 1401, 1423, 1502, 1723
v. Merriam, 111 Ind. 5, 1426, 1464, 1526
Merchants' Exchange Bank v. McGraw, 59 Fed. R. 972, 1414
v. McGraw, 76 Fed. 930, 1426
Merchants' Ins. Co., In re, 3 Biss. (U. S. C. C.) 162, 563
Merchants' Ins. Co., In re, 3 Biss. (U. S.) 165, 565
Merchants' National Bank v. Baltimore, &c., R. Co., 102 Md. 573, 1505a
v. Lovitt, 114 Mo. 519, 226
v. McLeod, 38 Ohio St. 174, 555
Merchants' Union v. Northern Pac. R. Co., 4 Interst. Com. Com. 183, 1682
v. Northern, &c., R. Co., 5 Interst. Com. Com. 478, 1684
v. Kent, 43 Mich. 292, 560, 561
v. Citizens', &c., Co., 159 Mass. 505, 287, 292
v. County of Pulaski, 1 McCrary (U. S.), 316, 906
v. Hervey, &c., Co., 45 La. Ann. 1214, 295
v. Pennsylvania, 167 U. S. 461, 772a, 775
v. Richards, 6 Mo. App. 454, 98
v. Stone, 38 Mich. 779, 190
v. Trustees, 63 Ga. 549, 553
Merchants', &c., Co. v. Chicago, &c., R. Co., 79 Iowa, 613, 630, 1008, 1096
v. Farthmann, 149 Ill. 66, 1423
v. Ins. Co., 151 U. S. 368, 388, 647, 650, 653, 1565, 1680
v. McVeigh, 20 Gratt. 264, 1453
v. Moore, 88 Ill. 136, 1436
v. Smith, 76 Ill. 542, 1426, 1481
Merchants', &, Ins. Co. v. Butler, 20 Md. 41, 1562
Merchants', &c., Nat. Bank v. Wheeler, 13 Blatchf. (U. S. C. C.) 218, 656
Merchants', &c., R. Co. v. Hallock, 64 Ill. 284, 1464

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Merchants' & Planters' Line v. Waganer, 71 Ala. 581, 608, 609
Merchants', &c., Transp. Co. v. Moore, 124 Ga. 482, 1512, 1514
Mercier v. Canonge, 8 La. Ann. 37, 268
v. New Orleans, &c., Co., 23 La. Ann. 264, 1095
Meredith v. Richmond, &c., R. Co., 108 N. Car. 616, 1257
Meredith, &c., Bank v. Simpson, 22 Kan. 414, 571
Merganthaler, &c., Co. v. Taylor, 90 S. W. 968, 1278a
Merhon v. Holensack, 22 N. J. Law, 372, 1481
Meriam v. Brown, 128 Mass. 391, 949, 998, 1029
Meridian News, &c., Co. v. Diem, &c., Co., 70 Miss. 695, 556
Meriwether v. Garrett, 102 U. S. 472, 736, 837, 918
v. Muhlenburg County Court, 120 U. S. 354, 836, 902, 918
Merkle v. Bennington Township, 58 Mich. 156, 1361
v. New York, &c., R. Co., 49 N. J. L. 473, 1167, 1170
Merriam v. Hartford, &c., Co., 20 Conn. 354, 1403, 1404, 1409, 1412, 1462, 1464, 1653, 1752
Merrick v. Amherst, 12 Allen, 500, 825
v. Brainard, 38 Barb. (N. Y.) 574, 1705
v. Gordon, 20 N. Y. 93, 1559
v. Intramontaine R. Co., 118 N. C. 1081, 1096c, 1096d, 1096be
v. Peru Coal Co., 61 Ill. 472, 169
v. Van Santvoord, 34 N. Y. 208, 22, 609
v. Webster, 3 Mich. 268, 1440
Merrick, &c., Co. v. Philadelphia, &c., Co. (Pa.) 8 Atl. 794, 107
Merrigan v. Boston, &c., R. Co., 154 Mass. 189, 1166
Merrihew v. Chicago, &c., R. Co., 92 Ill. App. 346, 1368
Merrill v. American, &c., Co., 62 N. H. 514, 303, 1497, 1514
v. American Exp. Co., 21 Wis. 154, 1502
v. Boston, &c., R. Co., 63 N. H. 259, 1358d
v. Call, 15 Me. 428, 92
v. Eastern R. Co., 139 Mass. 252, 716
v. Farmers' L. & T. Co., 24 Hun (N. Y.), 297, 514, 529
v. Gamble, 46 Iowa, 615, 112, 126
v. Grinnell, 30 N. Y. 594, 1647
v. Hurley (S. Dak.), 62 N. W. 958, 297
v. Ithaca, &c., R. Co., 16 Wend. 586, 1062
v. Marshall County, 74 Iowa, 24, 871, 874
v. Metropolitan St. R. Co., 73 App. Div. 401, 1096cx
v. Monticello, 138 U. S. 673, 831, 839
v. Oregon Short Line R. Co., 29 Utah, 264, 1280, 1282, 1306, 1316
v. Pacific, &c., Co., 131 Cal. 582, 1661
v. Sherbune, 1 N. H. 199, 666
v. Suffolk Bank, 31 Me. 57, 62, 612
v. Welsher, 50 Iowa, 61, 852, 874
Merrimack, The, 8 Cranch, 317, 1692
Merrimac Min. Co. v. Bagley, 14 Mich. 501, 150
Merriman v. Magiveny, 12 Heisk. (Tenn.) 494, 190
Merritt v. Bartholick, 36 N. Y. 44, 510
v. Earle, 29 N. Y. 115, 1454, 1457, 1481, 1718
v. Earle, 31 Barb. 38, 1457
v. Ferris, 22 Ill. 303, 164
v. Gibson, 129 Ind. 155, 558
v. Great Northern R. Co., 81 Minn. 496, 1314
v. Merritt, 16 Wend. (N. Y.) 405, 537, 568
v. Northern R. Co., 12 Barb. (N. Y.) 605, 948
v. Old Colony Railroad, 11 Allen, 80, 1404
v. Portchester, 71 N. Y. 309, 783, 850, 1096j
Merser, &c., R. Co. v. United, &c., R. Co. (N. J. L.) 61 Atl. 461, 1096bf
Merry v. Glasgow, &c., R. Co., L. R. 4 H. L. 226, 1680
v. Glasgow, &c., R. Co., 4 Ry. & Canal Traf. Cas. 383, 1680
Merryman v. Carroll, &c., Co., 4 Ry. & Corp. L. J. 12, 550
v. Chicago, &c., R. Co., 85 Iowa, 634, 1261
Mersey Docks v. Gibbs, 11 H. L. Cas. 686, 576, 1057
Mersick v. Hartford, &c., R. Co., 76 Conn. 11, 1096bl
Mershon v. Hobensack, 22 N. J. Law, 372, 1455, 1574, 1713
Merwin v. Manhattan R. Co., 1 N. Y. S. 267, 1639
Merz v. Missouri Pac. R. R. Co., 14 Mo. App. 459, 193
v. Missouri Pacific R. Co., 88 Mo. 672, 668, 723, 1082
v. Railroad Co., 14 Mo. App. 459, 1096ag
v. Railway Co., 86 Minn. 33, 1461, 1525, 1537
Merz Capsule Co. v. United Capsule Co., 67 Fed. 414, 107, 519
Mescall v. Tulley, 91 Ind. 96, 1689d
Messenger v. Pennsylvania R. Co., 37 N. J. L. 531, 1, 388, 1161, 1395, 1465, 1467
v. Pennsylvania R. Co., 36 N. J. L. 407, 1, 1391, 1395, 1467, 1565, 1690
Messersmith v. Messersmith, 22 Mo. 369, 945
Messick v. Hartford, &c., R. Co., 76 Conn. 11, 500, 528
v. Midland R. Co., 128 Ind. 81, 949
Messinger v. Pennsylvania R. Co., 64 Atl. 682, 1171
Metallic, &c., Co. v. Fitchburg R. Co., 109 Mass. 277, 1367
Metcalf v. City of Watertown, 128 U. S. 589, 708
v. McLaughlin, 122 Mass. 84, 1466
Metcalfe v. London, &c., R. Co., 4 C. B. (N. S.) 307, 1692
Methodist, &c., Church v. Mayor, &c., of Baltimore, 6 Gill, 391, 343, 1020
v. Pickett, 19 N. Y. 482, 398, 619
Metler v. Easton, &c., R. Co., 37 N. J. L. 222, 1006
Metropolitan Bank v. Godfrey, 23 Ill. 579, 398

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Metropolitan Board of Works v. McCarthy, L. R. 7 E. & I. App. 243, 978, 996
v. Metropolitan R. Co., 37 L. J. C. P. 281, 1005
v. Sant, 38 L. J. Ch. 7, 1003
Metropolitan Co. v. Moore, 121 U. S. 558, 1702
Metropolitan C. R. Co. v. Chicago, W. D. R. Co., 87 Ill. 317, 32, 65, 922, 963, 968, 1076, 1096an
v. Chicago, 96 Ill. 620, 630
Metropolitan Elevated R. Co. Re, 18 N. Y. S. 134, 958, 1025
Metropolitan Elevated R. Co., In re, 12 N. Y. S. 506, 1032a
Metropolitan El. R. Co., In re, 26 N. Y. St. 968, 1028
Metropolitan R. Co. v. Collins, 1 App. (D. C.) 383, 1689i
v. Highland St. R. Co., 118 Mass. 290, 1096au
v. Jones, 1 App. Div. 200, 1096cy
v. Snashall, 3 App. Cas. (D. C.) 420, 1689h
Metropolitan St. R. Co. v. Gilbert, 70 Kan. 261, 1096cm
v. Johnson, 90 Ga. 500, 1096ce
v. Johnson, 91 Ga. 466, 1822
v. Powell, 89 Ga. 601, 1689g
v. Slayman, 64 Kan. 722, 1096cl
v. Walsh, 197 Mo. 392, 994
Metropolitan Trust Co. v. Columbus, &c., R. C., 95 Fed. 18, 565
v. Houston, &c., R. Co., 90 Fed. 683, 1684a, 1684c
v. Lake Cities, &c., R. Co., 100 Fed. 897, 592
v. Pennsylvania, &c., R. R. Co., 25 Fed. R. 760, 494
v. Toledo, &c., R. Co., 107 Fed. 628, 1510, 1512, 1736
v. Tonawanda, &c., R. R. Co., 103 N. Y. 245, 528, 590, 591
Metropolitan, &c., Bank v. St. Louis, &c., Co., 36 Fed. R. 722, 92
Metropolitan, &c., Co., In re, 111 N. Y. 588, 1056
Metropolitan, &c., Co. v. Collins, 1 App. D. C. 383, 218
v. Harper, 3 Hughes, 260, 23
v. Hawkins, 4 H. & N. 87, 615
v. Manhattan, &c., Co., 15 Am. & Eng. R. Cas. 1, 440
Metropolitan, &c., R. Co., In re, 7 N. Y. Supp. 708, 1028
Metropolitan, &c., R. Co., In re, 111 N. Y. 588, 1056, 1096aa
Metropolitan, &c., R. Co. v. Dominick, 55 Hun, 198, 1029
v. Goll, 100 Ill. App. 323, 981, 994
v. Highland St. R. Co., 118 Mass. 290, 32, 974, 1084
v. Jackson, 3 L. R. App. Cas. 193, 1163, 1310, 1584
v. Kneeland, 120 N. Y. 134, 279, 281
v. McFarland, 20 App. (D. C.) 421, 1053
v. Manhattan, &c., R. Co., 11 Daly (N. Y.), 367, 163
v. Manhattan El. R. Co., 11 Daly (N. Y.), 373, 252
v. Quincy R. Co., 12 Allen (Mass.), 263, 1084, 1096an
v. Skola, 183 Ill. 434, 1319
v. Stickney, 150 Ill. 362, 978
Mettler v. Easton, &c., R. Co., 25 N. J. Eq. 214, 1049, 1051
Metz v. Buffalo, &c., Co., 58 N. Y. 61, 72, 581
v. California, &c., R. Co., 85 Cal. 329, 1647
v. St. Paul City R. Co., 88 Minn. 48, 1096br
Metzger v. Attica, &c., R. Co., 79 N. Y. 171, 872, 902
v. Chicago, &c., R. Co., 76 Ia. 387, 1224, 1241
Metzler v. Hugde's Road, 62 Pa. St. 151, 1048
Metzner v. Bauer, 98 Ind. 425, 555, 570
Meuer v. Chicago, &c., R. Co., 5 S. Dak. 568, 1506
Meuller v. La Prelle, &c., Co., 109 Mo. App. 506, 1283
Meux's Case, 2 DeG., M. & G. 522, 269
Meux v. Railway Co. (1895) 2 Q. B. 387, 1656
Mexican Cent. R. Co. v. Duthie, 189 U. S. 76, 649
v. Murray, 102 Fed. 264, 1288
v. Pinkney, 149 U. S. 194, 624
Mexican National R. Co. v. Jackson, 118 Fed. 549, 1506
v. Musette, 7 Tex. Civ. App. 169, 1689l, 1796
v. Savage, 41 S. W. 663, 764
Mexican R. Co. v. Mitten, 13 Tex. Civ. App. 653, 1815
Mexican, &c., R. Co. v. Crum, 6 Tex. Civ. App. 702, 1697
v. Glover, 107 Fed. 356, 1306
v. Jackson (Tex. Civ. App.), 32 S. W. 230, 710, 1292, 1366
v. Lauricella, 87 Tex. 277, 1191, 1589, 1634, 1644
v. Mussette, 86 Tex. 708, 1297
v. Shean (Tex.), 18 S. W. 151 1279, 1301, 1326
Meyer v. Amidon, 45 N. Y. 169, 231
v. Atlantic, &c., R. Co., 64 Mo. 542, 1218
v. Berlandi, 53 Minn. 59, 1058
v. Blair, 109 N. Y. 600, 92, 112, 119, 131
v. Chicago, &c., R. Co., 24 Wis. 566, 1519, 1523, 1535
v. Harnden, &c., Co., 24 How. Pr. 290, 213
v. Hornby, 101 U. S. 728, 500, 1072
v. Johnston, 53 Ala. 237, 67, 72, 329, 335, 389, 490, 495, 497, 498, 525, 537, 538, 539, 540, 561, 580, 589, 590, 592, 606
v. Johnston, 64 Ala. 603, 335
v. Krauter, 56 N. J. L. 696, 1689h
v. Lemcke, 31 Ind. 208, 1528, 1530
v. Lindell St. R. Co., 6 Mo. App. 27, 1096cb
v. Manhattan, &c., R. Co., 144 Ind. 439, 1702
v. Muscatine, 1 Wall. 384, 831, 880, 898, 907
v. North Missouri, &c., R. Co., 35 Mo. 352, 1193, 1195
v. Peck, 28 N. Y. 590, 1419, 1420, 1700, 1722
v. Porter, 65 Cal. 67, 486, 918
v. Richmond, 172 U. S. 82, 976, 1086

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Meyer v. St. Louis, &c., R. Co., 54 Fed. R. 116, 1577, 1621, 1637, 1639 1640
v. Second Ave. R. Co., 8 Bosw. N. Y. 305, 1096cr
v. State, ex rel, Day, 125 Ind. 335, 1050
v. Utah, &c., R. Co., 3 Utah, 280, 529
v. Vicksburg, &c., R. Co., 41 La. Ann. 639, 1221, 1224, 1242, 1411
Meyer, &c., Drug Co. v. McMahan, 50 Mo. App. 18, 1414
Meyere v. Nashville, &c., R. Co., 110 Tenn. 166, 1630
Meyers v. Chicago, &c., R. Co., 57 Iowa, 555, 670
v. St. Louis, &c., R. Co., 99 Mo. App. 363, 1764
v. Seeley, 10 Nat. Bank Reg. 411, 79
Meyerstein v. Barber, L. R. 2 C. P. 38, 1428, 1429, 1430
Miami Coal Co. v. Wigton, 19 Ohio St. 560, 955
Miami Exporting Co. v. Gano, 13 Ohio, 269, 568, 612
Miami, &c., Co. v. Port Royal, &c., R. Co., 38 S. Car. 78, 1692
Miami Powder Co. v. Port Royal, &c., R. Co., 47 S. Car. 324, 1558, 1572, 1708
Michael v. Roanoke, &c., Works, 90 Va. 492, 1283
Michaels v. New York R. Co., 30 N. Y. 564, 1409, 1443, 1451, 1455, 1457, 1457a, 1488
Michalitschke v. Express Co., 118 Cal. 683, 1481, 1502, 1510
Michie v. New York, &c., R. Co., 151 Fed. 694, 1678
Michigan v. Railway, 138 Fed. 37, 1634
Michigan Air Line R. Co. v. Barnes, 40 Mich. 383, 1053
Michigan Box Co. v. Flint, &c., R. Co., 6 I. C. C. 335, 1678a
Michigan Cent. R. Co. v. Boyd, 91 Ill. 268, 1502, 1506
v. Burrows, 33 Mich. 6, 1457a, 1465
v. Chicago, &c., R. Co., 1 Brad. (Ill. App.) 399, 497, 498, 624, 1538
v. Coleman, 28 Mich. 440, 1689f
v. Curtis, 80 Ill. 324, 1457, 1457a
v. Gilbert, 46 Mich. 176, 1292
v. Hale, 6 Mich. 243, 1723
v. Mineral Springs Mfg. Co., 16 Wall. (U. S.) 318, 1412, 1426, 1440, 1501, 1596
v. Phillips, 60 Ill. 190, 1429
v. Powers, 201 U. S. 245, 736, 741, 751b, 771, 772, 772a, 776
v. Smithson, 45 Mich. 212, 1395, 1685
v. State, 111 N. W. 735, 1049a
Michigan City v. Boeckling, 122 Ind. 39, 1077, 1174
Michigan Ins. Bank v. Eldred, 143 U. S. 293, 616
Michigan R. Tax Cases, 138 Fed. 223, 772a
Michigan Tel. Co. v. Charlotte, 93 Fed. 11, 1096o
Michigan, &c., Co. v. Coleman, 28 Mich. 440, 218, 1274, 1590, 1641
Michigan, &c., Co. v. Flint, &c., Co., 28 Chicago Legal News, 6, 1677
v. Rust, 68 Fed. R. 155, 806
Michigan, &c., R. Co. v. Anderson, 20 Mich. 244, 1225
v. Bacon, 33 Mich. 466, 126
v. Barnes, 40 Mich. 383, 1017, 1023, 1025, 1053
v. Barnes, 44 Mich. 222, 1039, 1041, 1042
v. Bivens, 13 Ind. 263, 1526, 1737
v. Burrows, 33 Mich. 6, 1484, 1487, 1488
v. Campau, 35 Mich. 468, 1374
v. Carrow, 73 Ill. 348, 1647, 1649
v. Caster, 13 Ind. 164, 1558, 1691, 1737
v. Curtis, 80 Ill. 324, 1412, 1488
v. Day, 20 Ill. 375, 303, 1440, 1482, 1483, 1536
v. Dolan, 32 Mich. 510, 1284, 1314
v. Fischer, 27 Ind. 96, 1203, 1206
v. Gougar, 55 Ill. 503, 269
v. Hale, 6 Mich. 243, 1417, 1454, 1464, 1500
v. Heaton, 37 Ind. 448, 1497, 1508
v. Lantz, 29 Ind. 528, 1634
v. McDonough, 21 Mich. 165, 1396, 1466, 1516, 1545
v. Mellen, 44 Mich. 321, 274
v. Meyers, 21 Ill. 627, 1653
v. Michigan S. R. Co., 4 Mich. 361, 32
v. Oehm, 56 Ill. 293, 1647, 1649, 1662a
v. Phillips, 60 Ill. 190, 1428
v. Probate Judge, 48 Mich. 638, 1034
v. Shelton, 66 Ill. 424, 1847
v. Shurtz, 7 Mich. 515, 1409, 1464, 1651
v. Smithson, 45 Mich. 212, 1279, 1394
v. Ward, 2 Mich. 538, 1527
Michoud v. Girod, 4 How. (U. S.) 502, 276
Mickee v. Walter A. Wood, &c., Co., 71 Hun, 569, 1268
Mickelsen v. New East, &c., R. Co., 23 Utah, 42, 1305
Mickey v. Stratton, 5 Sawyer (U. S. C. C.), 475, 411
Mickle v. Douglas, 75 Ia. 78, 946a
Mickles v. Rochester City Bank, 11 Paige (N. Y.), 118, 169, 237, 606, 609
Micou v. Moses, 72 Ala. 439, 558
v. Tallassee C. Co., 47 Ala. 652, 32
Middleburg R. Co. v. Stallard, 24 Ky. 1666, 1173
Middleport v. Aetna Life Ins. Co., 82 Ill. 562, 816, 832, 859a, 875
Middlesex Manf. Co. v. Lawrence, 1 Allen (Mass.), 339, 232
Middlesex R. Co. v. Boston, &c., R. Co., 115 Mass. 347, 67, 385, 430
v. Wakefield, 103 Mass. 261, 1082, 1096o
Middlesex Turnp. Co. v. Locke, 8 Mass. 268, 45
Middlesex, &c. v. Davis, 3 Met. (Mass.) 137, 17
Middelsex, &c., Trac. Co. v. Metlar, 70 N. J. L. 98, 962
Middleton v. Flat Co., 27 Mich. 533, 1049
v. Fowler, 1 Salk. 282, 1468
v. Mullica Tp., 112 U. S. 433, 881

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Middleton v. New Jersey, &c., R. Co., 26 N. J. Eq. 269, 523
v. Wilmington, &c., R. Co., 95 N. Car. 167, 713
Middletown, In re, 82 N. Y. 196, 1019, 1020
Middletown v. Boston, &c., R. Co., 53 Conn. 351, 477
v. New York, &c., R. Co., 62 Conn. 492, 671
Midill v. Collier, 16 Ohio St. 599, 190
Midland v. County Board, 37 Neb. 582, 872, 873, 893
Midland Co. v. Bromley, 17 Com. B. 372, 1448, 1659
Midland Nat. Bank v. Missouri Pac. R. Co. (Mo.) 33 S. W. 521, 1428, 1429, 1430, 1523
Midland R. Co. v. Ambergate R. Co., 10 Hare 359, 547
v. Daykin, 17 C. B. 126, 1203
v. Smith, 109 Ind. 488, 1022
v. Smith, 135 Ind. 348, 1048
v. Southwestern Tel. Co., 24 Tex. Civ. App. 198, 1027
v. Tidwell, 49 S. W. 641, 1850
v. Wilcox, 122 Ind. 84, 1096ad
Midland Valley R. Co. v. Moran, &c., Mfg. Co., 97 S. W. 679, 1068, 1070
Midland, &c., R. Co. v. Fisher, 125 Ind. 19, 416, 420, 936, 939, 945, 1188
v. Gordon, 16 Mees. & W. 804, 45
v. Great Western R. Co., 8 Ch. App. 841, 358
v. London, &c., R. Co., L. R. 2 Eq. 524, 1675
v. McDermid, 91 Ill. 170, 621
v. Miles, L. R. 30 Chan. Div. 634, 996
v. Wilcox, 122 Ind. 84, 520, 790, 1069, 1073, 1074
v. Young, 22 Can. S. C. 190, 934
Midland Township v. County Board, 37 Neb. 582, 893
Midland, &c., R. Co. v. Smith, 113 Ind. 233, 629, 949, 1096
v. Smith, 125 Ind. 509, 1007
v. Smith, 109 Ind. 488, 1026, 1020
v. Taylor, 8 H. L. Cases, 751, 92
Midway R. Co. v. Gascho, 7 Ind. App. 407, 1689e
Mierson v. Hope, 2 Sweeney (N. Y.), 561, 1461
Mifflin v. Railroad Co., 16 Pa. St. 182, 977
Mifflin Bridge Co. v. Juniata County, 13 L. R. A. 431, 950
Mikesel v. Durkee, 34 Kan. 509, 923, 1096h
Mikkleson v. Truesdale, 63 Minn. 137, 1341
Milan v. Tennessee, &c., R. Co., 11 Lea, 329, 876
Milbank v. New York, &c., R. R. Co., 64 How. Pr. (N. Y.) 20, 159, 174, 385
Milbridge, &c., Electric R. Co., Appeal of, 96 Me. 110, 979
Milburn v. City of Cedar Rapids, 12 Iowa, 246, 1087
v. Kansas City, &c., R. Co., 86 Mo. 104, 1206, 1213
Miles v. Bough, 3 Ad. & El. (N. S.) 845, 140, 141
Milhau v. Sharp, 27 N. Y. 611, 75, 1077, 1096l, 1096n
Milhauck v. E. Jencher Mfg. Co., 24 R. I. 131, 1319
Milhaus v. Atlantic, &c., R. Co., 55 S. E. 964, 1660
Milhous v. Southern R., 72 S. Car. 442, 1627a
Military, &c., Assn. v. Savannah, &c., R. Co., 105 Ga. 420, 374
Milk Producers Ass'n. v. Delaware, &c., R. Co., 7 I. C. C. 92, 1683, 1684c
Millan v. Maysville, &c., R. R. Co., 15 B. Mon. (Ky.) 218, 121
v. Southern R. Co., 58 S. Car. 247, 1553
Millar v. Madison Co., 130 Mo. 517, 1304
Millard v. Burley, 13 Neb. 259, 495, 497
v. Missouri, &c., R. Co., 86 N. Y. 441, 1649
v. Roberts, 202 U. S. 429, 1358e
Millaudon v. New Orleans, &c., R. Co., 3 Rob. (La.) 488, 183
Millcreek Twp. v. Erie, &c., R. Co. (Pa. St.) 64 Atl. 901, 1096bj
v. Erie, &c., St. R. Co., 209 Pa. St. 300, 1096bj
Millen v. Guerrard, 67 Ga. 284, 307
Miller's Appeal, 1 Pennypacker (Pa. Sup. Ct.), 120, 176
Miller v. American, &c., Co., 92 Tenn. 167, 369
v. Asheville, 112 N. Car. 759, 1003b
v. Auburn, &c., R. Co., 6 Hill (N. Y.), 61, 949, 1008
v. Baltimore, &c., R. Co., 89 App. Div. (N. Y.) 457, 1816
v. Barber, 66 N. Y. 558, 13
v. Boston, &c., R. Co., 61 Atl. 360, 1271
v. Bradish, 69 Iowa, 278, 313, 316
v. Burlington, 8 Neb. 219, 213
v. Chicago, &c., R. Co., 66 Iowa, 546, 1146, 1185, 1241
v. Chicago, &c., R. Co., 76 Iowa, 318, 1241
v. Chicago, &c., R. Co., 65 Fed. 305, 1380, 1384
v. Chicago, &c., R. Co., 1 Mo. App. Rep. 474, 1406, 1456
v. County Commissioners, 119 Mass. 485, 1014
v. Detroit, &c., Co., 125 Mich. 171, 1080
v. Detroit, &c., R. Co., 133 Mich. 564, 1296
v. Detroit United R. 144 Mich. 1, 1843
v. East Tennessee, &c., R. Co., 93 Ga. 630, 1628
v. Erie R. Co., 21 App Div. (N. Y.) 45, 1278a
v. Ewer, 27 Me. 509, 17, 22, 164
v. George, &c., R. Co., 88 Ga. 563, 200, 1567, 1568
v. Green Bay, &c., R. R. Co. (Minn.) 26 L. R. A. 443, 42
v. Green Bay, &c., R. Co., 59 Minn. 169, 358, 977, 1088
v. Green Bay C. R. Co. (Minn.) 11 Lewis Am. R. & Corp. Rep. 246, 974
v. Hannibal, &c., R. Co., 24 Hun (N. Y.), 607, 1419, 1424
v. Hannibal, &c., R. Co., 90 N. Y. 430, 1419, 1420, 1481
v. Hanover, &c., R. Co., 87 Pa. St. 95, 114, 131, 176

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Miller v. Illinois, &c., R. R. Co., 24 Barb. (N. Y.) 312, 87, 226, 312, 320
v. Iowa, &c., Co., 56 Iowa, 374, 797
v. Jones, 39 Ill. 54, 565
v. Keokuk, &c., R. Co., 63 Iowa, 680, 977a, 1005, 1048
v. Lancaster, 5 Coldw. (Tenn.) 514, 334
v. Lebanon, &c., R. Co., 186 Pa. St. 190, 1689g
v. Loeb, 64 Barb. (N. Y.) 454, 571
v. Louisville, &c., R. Co., 128 Ind. 97, 1163, 1174, 1178, 1783
v. McCaffrey, 9 Pa. St. 245, 1060
v. Mackenzie, 29 N. J. Eq. 291, 568
v. Madison, &c., R. Co., 130 Mo. 517, 1278
v. Malony, 3 B. Mon. (Ky.) 105, 145
v. Mansfield, 112 Mass. 260, 200, 1567, 1570
v. Metropolitan St. R. Co., 102 S. W. 592, 1840
v. Michigan, &c., R. Co., 123 Mich. 374, 1326
v. Minnesota, &c., R. Co., 76 Ia. 655, 1063, 1064, 1267a
v. Mintun, 73 Ark. 183, 1783
v. New York, &c., R. Co., 125 N. Y. 118, 468
v. New York, &c., R. R. Co., 18 How. Pr. (N. Y.) 374, 480
v. New York, &c., R. Co., 21 Barb. 513, 660, 691
v. New York, 109 U. S. 385, 980a, 1057c
v. New York, &c., R. Co., 65 Hun, 623, 1160
v. Newberg, &c., Co., 31 W. Va. 836, 612
v. Norfolk, &c., R. Co., 41 Fed. 431, 622
v. Pine Min. Co., 2 Idaho, 1206, 616, 617
v. Pittsburgh, &c., R. R. Co., 40 Pa. St. 237, 86, 111, 121
v. Porter, 71 Ind. 521, 1029
v. Prairie du Chien, &c., R. Co., 34 Wis. 533, 41, 957, 1053
v. Preston, 4 N. Mex. 314, 105
v. Quincy, &c., R. Co., 56 Mo. App. 72, 1137
v. Railroad Co., 125 N. Y. 118, 468
v. Ratterman, 47 Ohio St. 141, 83, 86, 156
v. Rutland, &c., R. Co., 36 Vt. 452, 31, 72, 228, 236, 253, 285, 385, 488, 491, 502, 525, 958
v. Rutland, &c., R. R. Co., 40 Vt. 399, 486, 487, 534
v. St. Louis, &c., R. Co., 162 Mo. 424, 1006
v. St. Louis, &c., Co., 5 Mo. App. 471, 1096bt
v. St. Louis, &c., R. Co., 90 Mo. 389, 1247
v. St. Paul, &c., R. Co., 42 Minn. 454, 1095
v. Seaman, 176 Pa. St. 291, 1425
v. Second, &c., Assn., 50 Pa. St. 32, 176
v. Sharp, 37 Fed. 161, 647
v. South Carolina R. Co., 33 S. Car. 359, 1439
v. Southern R. Co., 53 S. E. 726, 1339
v. Southern Pacific R. Co., 20 Ore. 285, 1276, 1318, 1333a
Miller v. State, 15 Wall. (U. S.) 478, 56, 59
v. Steam, &c., Co., 10 N. Y. 431, 1443, 1455, 1584
v. Stewart, 9 Wheat. (U. S.) 680, 233
v. Swann, 89 Ala. 631, 793, 801
v. Terre Haute, &c., R. Co., 144 Ind. 323, 1153, 1158, 1165, 1171, 1703
v. Texas, &c., R. Co., 83 Tex. 518, 1445, 1569
v. Trusdale, 56 Minn. 274, 1165, 1179b
v. Union Pac. Railroad Co., 17 Fed. 67, 1304
v. White, 50 N. Y. 137, 180
v. Wild Cat, &c., Co., 52 Ind. 51, 102, 109
v. Wildcat, &c., Co., 57 Ind. 541, 128
v. Windsor Water Co., 148 Pa. St. 429, 970
Miller Grain, &c., Co. v. Union Pac. R. Co., 138 Mo. 658, 1439
Millerstown Borough v. Frederick, 114 Pa. St. 435, 895
Milligan, Ex parte, 4 Wall. (U. S.) 2, 646
Milligan v. Grand Trunk, &c., R. Co., 17 U. C. C. P. 115, 1488
Milliken v. Whitehouse, 49 Me. 527, 180
Milliman v. New York, &c., R. Co., 66 N. Y. 642, 1577, 1628
v. Oswego, &c., R. Co., 10 Barb. N. Y. 87, 1142
Millner v. State, 15 Lea (Tenn.), 179, 734
Millock v. Pennsylvania R. Co., 166 Pa. St. 184, 1500
Milloy v. Grand Trunk, &c., R. Co., 21 Ont. App. 404, 1462, 1464
Mills v. Britton, 64 Conn. 4, 307
v. Brooklyn, &c., Railroad Co., 10 Misc. R. 1, 1095
v. Catlin, 22 Vt. 98, 1378
v. Central R. Co., 41 N. J. Eq. 1, 43, 324, 325a, 328, 372, 430, 434 441
v. Chicago, &c., R. Co., 94 Wis. 336, 1194
v. Chicago, &c., R. Co., 76 Wis. 422, 1238
v. Gleason, 11 Wis. 493, 751
v. Hopkins, 6 U. C. C. P. 138, 1149
v. Michigan, &c., R. Co., 45 N. Y. 622, 1443, 1449, 1464
v. Missouri R. Co., 94 Tex. 242, 1603, 1628
v. Norfolk, &c., R. Co. (Va.) 19 S. E. 171, 1059
v. Northern R. R. Co., L. R. 5 Ch. App. Cas. 621, 313, 316, 317
v. Orange, &c., R. Co., 1 McArthur, 285, 477
v. Parlin, 106 Ill. 60, 630
v. Paul (Tex.), 30 S. W. 558, 1070
v. Potter, 189 Mass. 238, 533, 534
v. Scott, 99 U. S. 25, 702
v. Stewart, 41 N. Y. 384, 150, 151
v. Weir, 82 App. Div. 396, 1502a
v. Wilmington R. Co., 1 Marv. (Del.) 269, 1699, 1815
Mills, &c., Co. v. Chicago, &c., R. Co., 68 N. W. 996, 1194
Millsap v. Chapman, 76 Miss. 942, 275

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Millsaps v. City of Terrell, 60 Fed. 193, 888
v. Louisville, &c., R. Co., 69 Miss. 423, 1267a, 1322
Millvale v. Evergreen, &c., R. Co., 131 Pa. St. 1, 3, 322a, 1056
Millville, &c., Co. v. Goodwin (N. J.), 32 Atl. 263, 632
Millward v. Midland R. Co., L. R. (1884) 14 Q. B. Div. 68, 1356
Millward, &c., Co., In re, 161 Pa. St. 157, 845
Millwood, &c., Co. v. Madison, 2 Atl. 39, 1831
Milne v. Douglas, 13 Fed. 37, 1436, 1438
v. Douglas, 4 McCrary, 368, 1445
Milner v. Pensacola, 2 Woods (U. S.) 632, 849
Milnes v. Gery, 14 Vesey, 400, 422
Milnor v. Georgia, &c., R. Co., 4 Ga. 385, 1059
v. New York, &c., R. Co., 53 N. Y. 363, 30, 303, 1435, 1445, 1655, 1658, 1796
v. New York, &c., R. Co., 4 Daly (N. Y.), 355, 1596
Milroy v. Chicago, &c., R. Co., 98 Iowa, 188, 1593
Miltenberger v. Logansport Ry. Co., 106 U. S. 256, 511, 528, 549, 558, 577, 589, 590
v. Logansport, &c., R. Co., 106 U. S. 286, 567, 582
Miltimore v. Chicago, &c., R. Co., 37 Wis. 190, 1492, 1550
Milton v. Denver, &c., R. Co., 1 Colo. App. 307, 1455
v. Missouri Pac. R. Co., 193 Mo. 46, 1638
Milwaukee Brick, &c., Co. v. Schoknecht, 108 Wis. 457, 111a
Milwaukee Elec. R. &c., Co. v. Milwaukee, 87 Fed. 577, 1402, 1670a, 1684c, 1684d
Milwaukee Extract Co. v. Chicago, &c., R. Co., 73 Ia. 98, 1414a
Milwaukee Malt, &c., Co. v. Chicago, &c., R. Co., 73 Ia. 98, 1466
Milwaukee Southern R. Co., In re, 124 Wis. 490, 969, 1023, 1035a
Milwaukee, &c., Co. v. Board of Supervisors, 48 Wis. 666, 750
Milwaukee, &c., R. Co. v. Arms, 91 U. S. 489, 1389, 1798, 1801
v. Board, 29 Wis. 116, 393
v. Brevoort, 73 Mich. 155, 624
v. Brooks, &c., Works, 121 U. S. 430, 626
v. Eble, 4 Chand. (Wis.) 72 987, 1038
v. Faribault, 23 Minn. 167 74, 632, 964, 966, 1104
v. Field, 12 Wis. 340, 45, 86, 111, 127
v. Finney, 10 Wis. 388, 1638
v. Hunter, 11 Wis. 160, 1163, 1176
v. Kellogg, 94 U. S. 469, 1231, 1310, 1455
v. Kossuth Co., 41 Iowa, 57, 872
v. Lynch, Circuit Court of Oneida Co., Wisconsin, Oct. 15, 1892, 1567
v. Milwaukee, &c., R. Co., 20 Wis. 165, 495, 553
v. Milwaukee, &c., R. Co., 20 Wis. 174, 525
v. Milwaukee, 34 Wis. 271, 738a, 750
v. Milwaukee, 87 Fed. 577, 1684b
Milwaukee, &c., R. Co. v. Soutter, 2 Wall. (U. S.) 440, 518, 540, 548, 566, 586
v. Soutter, 5 Wall. 660, 540
v. Strange, 63 Wis. 178, 949, 1000
Mims v. Armstrong, 31 Md. 87, 495, 1505
v. Macon, &c., R. Co., 3 Ga. 333, 953, 1048
Minard v Douglas Co., 9 Ore. 206, 771
v. West Jersey, &c., R. Co., 64 Atl. 1054, 1243
Mine Hill, &c., R. Co. v. Lippincott, 86 Pa. St. 468, 930
Miner v. Belle Isle Ice Co., 93 Mich. 97, 165, 169, 263, 550, 608, 609
v. New York, &c., R. Co., 123 N. Y. 242, 335, 426, 611
v. New York Cent. & H. R. R. Co., 46 Hun, 612, 400
v. Norwich, &c., R. Co., 32 Conn. 91, 1559
Miners' Bank v. United States, 1 Greene (Iowa), 553, 57
Miners' &c., Co. v. Zellerbach, 37 Cal. 543, 369, 424
v. Zellerbach, 99 Am. Dec. 300, 611
Minersville v. Schuykill Elec. R. Co., 205 Pa. St. 402, 1096bl
Mineral Point R. Co. v. Barron, 83 Ill. 365, 625, 627
Mineral Point R. R. Co., v. Keep, 22 Ill. 9, 21
Mineral Range R. Co. v. Detroit, &c., Co., 25 Fed. 515, 646, 956
Mining Co. v. Anglo Californian, &c., Bank, 104 U. S. 192, 246, 287
v. Cullins, 104 U. S. 176, 605
v. Grant, L. R. 11 Ch. Div. 918, 11
v. Spooner, 74 Wis. 307, 11
Minor v. Mechanics' Bank, 1 Pet. 46, 287
Minneapolis v. Lundin, 58 Fed. 525, 1318, 1329
v. Wabash R. Co., 118 Fed. 55, 26
v. Wilkin, 30 Minn. 140, 1006, 1015, 1053
Minneapolis Harvester Works v. Libby, 24 Minn. 327, 155
Minneapolis Mill Co. v. Minneapolis, &c., R. Co., 51 Minn. 304, 949
Minneapolis, &c., Co. v. Davis, 40 Minn. 110, 102, 126
v. Great Northern R. Co., 83 Minn. 370, 1243
Minneapolis, &c., R. Co., In re, 36 Minn. 481, 957, 1120
Minneapolis, &c., R. Co. v. Bassett, 20 Minn. 535, 106
v. Beckwith, 129 U. S. 26, 21, 660, 740, 772, 1181, 1182, 1183
v. Cedar Rapids, &c., R. Co., 114 Ia. 502, 1122a
v. Chicago, &c., R. Co., 116 Ia. 681, 927, 975, 1027
v. Chicago, &c., R. Co., 33 Minn. 62, 1178
v. Commons, 149 U. S. 364, 1183
v. Cox, 76 Ia. 306, 935
v. Emmons, 149 U. S. 364, 669, 670b
v. Gardner, 177 U. S. 332, 331, 613
v. Gowrie, &c., Co., 1122a
v. Hartland, 85 Minn. 76, 975a, 1035a
v. Home Ins. Co. (Minn.) 66 N. W. 132, 1500

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Minneapolis, &c., R. Co. v. Kanne, 32 Minn. 174, 1020, 1034, 1047
v. Marble, 112 Mich. 4, 947, 949
v. Milner, 57 Fed. 276, 632
v. Minneapolis, 186 U. S. 261, 693
v. Minneapolis, &c., R. Co., 58 Minn. 128, 949, 958
v. Minneapolis, W. Ry. Co. (Minn.) 63 N. W. 1035, 967
v. Minnesota, 186 U. S. 257, 1662c, 1662d, 1670b, 1684a, 1684b, 1684g, 1877
v. Minnesota, 193 U. S. 53, 662, 682a, 950
v. St. Paul, &c., R. Co., 35 Minn. 265, 929, 930
v. State, 134 U. S. 467, 686
v. Woodworth, 32 Minn. 452, 1032, 1033
Minnehaha, &c., Assn. v. Legg, 50 Minn. 333, 149
Minnesota v. Barber, 136 U. S. 313, 1668, 1669
v. Northern Sec. Co., 184 U. S. 199, 914
Minnesota Co. v. St. Paul Co., 2 Wall. (U. S.) 609, 31, 389
Minnesota Iron Co. v. Kline, 199 U. S. 593, 1335
Minnesota, &c., Co. v. Davis, 40 Minn. 455. 796, 801
v. Koochiching Co., 97 Minn. 429, 952c
Minnesota, &c., R. Co. v. Doran, 17 Minn. 188, 988, 990, 992, 993
v. Gluek, 45 Minn. 463, 1037
v. McNamara, 13 Minn. 508, 989
v. Peterson, 31 Minn. 42, 1053
Minnetonka Lake Improvement, In re, 56 Minn. 513, 977
Minnett v. Milwaukee, &c., R. Co., 3 Dill. (U. S.) 460, 649
Minnick v. Union Insurance Co., 40 Fed. 369, 645
Minnuci v. Philadelphia, &c., R. Co., 68 N. J. L. 432, 1689c, 1689f, 1757
Minock v. Detroit, &c., R. Co., 97 Mich. 425, 1628, 1642a
Minor, In re, 69 Fed. 233, 1663
Minor v. Chicago, &c., R. Co., 19 Wis. 40, 1652, 1652a, 1659
v. Erie R. Co., 171 N. Y. 566, 1670a
v. Mechanics' Bank, 1 Pet. (U. S.) 46, 18, 274
v. Wright, 16 La. Ann. 151, 977
Minot's Case, 33 Alb. L. Jour. 106, 307
Minot v. Boston, &c., R. Co., 73 N. H. 317, 1158, 1179a
v. Martin, 95 Fed. 734, 573
v. Paine, 99 Mass. 101, 307, 310
Minter v. Pacific R. Co., 41 Mo. 503. 1406, 1464, 1647, 1649
v. Southern Kansas R. Co., 56 Mo. App. 282, 1406
Minty v. Union Pac. R. Co., 2 Idaho. 437, 1697
Mire v. East Louisiana R. Co., 42 La. Ann. 385, 1297
Mirriam v. Hartford & N. H. R. Co., 20 Conn. 354, 1410
Mirrieless v. Wabash, &c., R. Co., 63 Mo. 470, 1820
Mischke v. Chicago, &c., R. Co., 56 Ill. App. 472, 1282
Mish v. Main, 81 Md. 36, 275, 601
Mississippi Cent. R. Co. v. Hardy, 41 So. 505, 1812
Mississippi Home Insurance Co. v. Louisville, &c., R. Co., 70 Miss. 119, 1221
Mississippi Mills v. Cook, 56 Miss. 40, 741
Mississippi Railroad Comr. v. Illinois Cent. R. Co., 203 U. S. 335, 677, 700, 1627a. 1668
Mississippi River Bridge Co. v. Ring, 58 Mo. 491, 996, 1036, 1045
Mississippi R. &c., Co. v. Gulf, &c., R. Co., 78 Miss. 750, 689
v. Jones, 54 Mo. App. 529, 1023
Mississippi Society v. Musgrove, 44 Miss. 820, 17
Mississippi Val. Co. v. Chicago, St. L. & N. O. R. R. Co., 58 Miss. 896, 336, 495, 497
Mississippi, &c., Boom Co. v. Patterson, 98 U. S. 403, 646, 1010a
Mississippi, &c., Ins. Co. v. Louisville, &c., R. Co., 70 Miss. 119, 1232
Mississippi, &c., R. Co. v. Ayres, 16 Lea, 725, 1378
v. Byington, 14 Iowa, 572, 1050, 1052
v. Chicago, &c., R. Co., 58 Miss. 846, 329
v. Cross, 20 Ark. 443, 13a, 112, 374, 616, 919
v. Devaney, 42 Miss. 555, 929, 930
v. Fort, 44 Miss. 423, 1693
v. Gaster, 20 Ark. 455, 140, 141, 153, 252
v. Harris, 36 Miss. 17, 106, 107
v. Howard, 7 Wall. 392, 341
v. Kennedy, 41 Miss. 671, 1393, 1647, 1649, 1662a, 1655
v. Louisville, &c., R. Co., 70 Miss. 119, 1225, 1238
v. McDonald, 12 Heisk. (Tenn.) 54. 988
v. Mason, 51 Miss. 234, 977, 1163, 1313
v. Miller, 40 Miss. 45, 1209
v. Rosseau, 8 Iowa, 373, 1653
v. United States Express Co., 81 Ill. 534, 495, 626
v. Ward, 2 Black (U. S.), 485, 623
Missouri, The, 30 Fed. 384, 1463
Missouri v. Lewis, 101 U. S. 22, 740, 772
Missouri Coal Co. v. Hannibal, &c., R. Co., 35 Mo. 84. 1406
Missouri Furnace Co. v. Abend, 107 Ill. 44, 1295
Missouri Pac. R. Co. v. Barber, 44 Kan. 612, 1278, 1359
v. Barnes, 2 Tex. App. (Civ. Cas.) 507, 1695
v. Beeson, 30 Kan. 298, 1502, 1503
v. Bradbury, 106 Mo. App. 450, 396, 946e
v. Brazzil, 72 Tex. 233, 1689g
v. Breeding, 4 Tex. App. (Civil Cas.) 217, 1450, 1492, 1734
v. Bridges, 74 Tex. 520, 1093, 1102, 1112, 1176
v. Cady, 44 Kan. 633, 1222
v. Calibreath, 66 Tex. 526, 1279
v. Carter, 85 Mo. 448, 1010, 1014, 1025, 1041
v. Cass Co., 107 N. W. 773, 996c, 1102, 1103
v. Chicago, &c., R. Co., 98 Mo. App. 214. 1133
v. Chicago, &c., R. Co., 25 Fed. 317, 1394. 1398

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Missouri Pac. R. Co. v. Collier, 62 Tex. 318, 621, 1788
v. Coon, 15 Neb. 232, 1037
v. Cornwall, 70 Tex. 611, 1546, 1748
v. Creath, 3 Wills Civ. Cas. App. 83, 1713
v. Douglas, 2 Tex. App. (Civ. Cas.) 32, 1403, 1411, 1415, 1694, 1695, 1713
v. Dwyer, 36 Kan. 58, 1278, 1327, 1826
v. Eckel, 49 Kan. 794, 1207
v. Edwards, 78 Tex. 307, 1714, 1727, 1747, 1751
v. Fagan, 72 Tex. 127, 1465, 1500, 1504, 1527, 1547, 1553, 1733
v. Fagan, 27 S. W. 887, 1546, 1549a
v. Fennell, 79 Tex. 448, 1420, 1481
v. Finley, 38 Kan. 550, 303, 1547, 1669
v. Foreman, 73 Tex. 311, 1580, 1628
v. Foreman, 46 S. W. 834, 1831
v. Goodholm, 61 Kan. 758, 1377
v. Gruendel, 3 Kan. App. 53, 1052
v. Hall, 66 Fed. 868, 1554, 1555, 1746
v. Hansen (Neb.), 66 N. W. 1105, 1160, 1257
v. Harris, 1 Tex. App. (Civ. Cas.) 730, 1499
v. Harris, 67 Tex. 166, 1500, 1505, 1512
v. Hays, 15 Neb. 224, 985, 988, 993
v. Heidenheimer, 82 Tex. 195, 1415, 1426, 1429, 1430, 1526, 1540, 1541
v. Holcomb, 44 Kan. 332, 1629
v. Humes, 115 U. S. 512, 668, 669, 709, 714, 1012, 1219, 1220
v. International, &c., Co., 84 Tex. 149, 1499, 1507, 1509
v. Ivy, 79 Tex. 444, 1420, 1481, 1554
v. Ivy, 71 Tex. 409, 1604, 1605, 1608
v. Jarrard, 65 Tex. 560, 1810
v. Kingsbury, 25 S. W. 322, 1751
v. Lee, 70 Tex. 496, 1150
v. Lehmberg, 75 Tex. 67, 1288
v. Lewis, 24 Neb. 848, 1272a, 1373
v. Long, 81 Tex. 253, 1628, 1839
v. McFadden, 154 U. S. 155, 1404, 1419, 1428, 1523
v. Mackey, 127 U. S. 205, 21, 1358e
v. Mackey, 33 Kan. 298, 668, 1337
v. McFadden, 154 U. S. 155, 1403, 1429
v. Maltby, 34 Kan. 125, 627
v. Merrill, 40 Kan. 404, 1241, 1242, 1246
v. Moffatt, 56 Kan. 667, 1156, 1158
v. Moffatt, 60 Kan. 113, 1700, 1793
v. Morrow, 32 Kan. 217, 471, 474, 1198, 1208, 1216
v. Moseley, 57 Fed. 921, 1252, 1257, 1258, 1369
v. Nebraska, 164 U. S. 403, 980
v. Neiswanger, 41 Kan. 621, 1590, 1641
v Nicholson, 2 Wills. Civ. Cas. Ct. App. 169, 1722
v. Owens, 1 Tex. Civ. App. 384, 324, 329
v. Peru, &c., Co., 87 Pac. 80, 1558, 1572
v. Platzer, 73 Tex. 117, 1226
v. Prewitt, 59 Kan. 734, 1257
Missouri Pac. R. Co. v. Ray, 25 Tex. Civ. App. 567, 1157, 1171
v. Renfro, 52 Kan. 237, 1057
v. Richmond, 73 Tex. 568, 617
v. Ricketts, 45 Kans. 617, 1186
v. Riggs, 10 Kan. App. 578, 1462, 1711
v. Roads, 33 Kan. 640, 1182, 1184, 1190, 1209
v. Rushin, 3 Tex. App. (C. Cas.) 385, 1692
v. Sasse, 22 S. W. 187, 1323
v. Scott, 4 Tex. Civ. App. 76, 1718, 1719
v. Sharritt, 43 Kan. 375, 624, 627
v. Sherwood, 84 Tex. 125, 1439, 1499, 1505, 1671, 1673
v. Sidell, 67 Fed. 464, 228, 345, 373, 447
v. Somers, 71 Tex. 700, 1269, 1296
v. Stults, 31 Kan. 752, 219, 220, 303
v. Taggart, 84 Mo. 264, 117
v. Terry, 115 U. S. 523, 1219
v. Texas, &c., R. Co., 30 Fed. 2, 356
v. Texas, &c., Ry. Co., 31 Fed. 862, 566, 1628, 1682
v. Texas, &c., R. Co., 41 Fed. 311, 573
v. Texas & P. R. Co., 41 Fed. 913, 726, 1511, 1554
v. Tipton, 61 Neb. 49, 1239
v. Twiss, 35 Neb. 267, 1452
v. Tygard, 84 Mo. 263, 111, 116, 117, 121, 362, 386, 856, 941
v. United States, 189 U. S. 274, 1688a
v. Vandeventer, 26 Neb. 222, 1499
v. Watson, 72 Tex. 631, 1627a, 1628a
v. Weisman, 2 Tex. Civ. App. 86, 1443a
v. Wernwag, 35 Mo. App. 449, 1045
v. Whipsker, 77 Tex. 14, 627
v. Wichita, &c., Co., 55 Kan. 525, 1398, 1438, 1442, 1516, 1520, 1694, 1716
v. Wilson, 45 Mo. App. 1, 1026
v. Wortham, 73 Tex. 25, 1628, 1641
v. York, 2 Wills. Civ. Cas. Ct. App. Sec. 639, 1647
v. Young, 25 Neb. 651, 1399, 1442
Missouri, River Co. v. Morris, 7 Kan. 210, 737
Missouri River Packet Co. v. Hannibal, &c., R. Co., 79 Mo. 478, 966
Missouri River, &c., R. Co. v. Miami Co., 12 Kan. 482, 869
v. Miami County, 12 Kan. 230, 872, 873, 876
v. Owens, 8 Kan. 409, 1006
v. Richards, 8 Kan. 101, 230, 276
v. Shepard, 9 Kan. 647, 926, 1019, 1020
Missouri Valley R. Co. v. Caldwell, 8 Kan. 244, 1513
Missouri, &c., of Texas v. Mott, 98 Tex. 91, 1057
Missouri, &c., R. Co. v. Abney, 30 Kan. 41, 1220
v. Allen, 87 S. W. 168, 1730, 1731, 173-
v. Anderson, 36 Tex. Civ. App. 121, 5, 946b

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Missouri, &c., R. Co. v. Armstrong, 99 S. W. 431, 1200
v. Avis, 91 S. W. 877, 1581, 1838
v. Ayers (Tex.), 8 S. W. 538, 1239
v. Baier, 37 Neb. 235, 1378a
v. Baker, 14 Kan. 563, 606, 1065
v. Baker, 58 S. W. 964, 1846
v. Ball, 25 Tex. Civ. App. 500, 1591c, 1823
v. Barnes, 95 S. W. 714, 1766
v. Bartlett, 81 Tex. 42, 1224
v. Bartlett, 69 Tex. 79, 1235, 1238
v. Baxter, 45 Kan. 520, 1181, 1184, 1190
v. Baxter, 42 Neb. 793, 1296
v. Beard, 34 Tex. Civ. App. 188, 1752
v. Beckwith, 129 U. S. 26, 665
v. Beeson, 30 Kan. 298, 1428
v. Belcher (Tex.), 35 S. W. 6, 1416
v. Bell, 93 S. W. 198, 1057g
v. Bowles, 1 Ind. Ter. 250, 1565
v. Bradshaw, 83 S. W. 897, 1209
v. Brantley, 26 Tex. Civ. App. 1376
v. Bridges, 74 Tex. 520, 1102
v. Brown, 14 Kan. 557, 1065
v. Bussey, 60 Kan. 735, 1179
v. Byrd, 89 S. W. 991, 1806
v. Byrne, 100 Fed. 359, 1551a
v. Byrne, 3 Ind. Ter. 740, 1551a
v. Calkins, 79 S. W. 832, 978, 995, 1008, 1049f
v. Cannady, 36 Tex. Civ. App. 646, 1839
v. Cape Girardeau, &c., Co., 1 Interst. Com. R. 607, 1671
v. Carter, 9 Tex. Civ. App. 677, 1417, 1502, 1512
v. Chambers, 17 Tex. Civ. App. 487, 1279, 1827
v. Chenault, 60 S. W. 35, 1144
v. Chilton (Tex.), 27 S. W. 272, 587
v. Chittim, 24 Tex. Civ. App. 599, 1550, 1743, 1755
v. C. H. Rines & Co., 84 S. W. 1092, 1734, 1741
v. Clark, 35 Tex. Civ. App. 189, 1552
v. Clayton, 84 S. W. 1069, 1725
v. Clifton, 80 S. W. 386, 1730
v. Cobb, 36 S. W. 500, 1734
v. Cook, 8 Tex. Civ. App. 376, 1784
v. Cook, 12 Tex. Civ. App. 203, 1632, 1842
v. Cornell, 30 Kan. 35, 1238
v. Corse, 101 S. W. 522, 1642a, 1845
v. Crane, 13 Tex. Civ. App. 126, 1296
v. Cullers, 81 Tex. 382, 1231
v. Davidson, 25 Tex. Civ. App. 134, 1728
v. Dickson, 90 S. W. 507, 1812
v. Dumas, 93 S. W. 493, 1297
v. Dunham, 68 Tex. 231, 1208
v. Dunnaway; 95 S. W. 760, 1209
v. Dwyer, 36 Kan. 58, 1327
v. Elliott, 2 Ind. Ter. 407, 1322
v. Evans, 71 Tex. 361, 1620
v. Faber, 7 Kan. App. 481, 1315e
v. Fennell, 79 Tex. 448, 1481
v. Ferch, 18 Tex. Civ. App. 46, 1306
Missouri, &c., R. Co. v. Ferris, 23 Tex. Civ. App. 215, 1850
v. Finch (Tex. Civ. App.), 31 S. W. 84, 1159
v. Finley, 38 Kan. 550, 1669
v. Fitterling, 79 Mo. 594, 1199
v. Flood, 35 Tex. Civ. App. 197, 1788, 1805, 1820
v. Fulmore (Tex.), 29 S. W. 688, 1239, 1244
v. Gedney, 44 Kan. 329, 1205
v. Gill, 49 Kan. 441, 1207
v. Goode, 7 Tex. C. App. 245, 1239
v. Green, 99 S. W. 573, 1057g
v. Haber, 169 U. S. 613, 1669, 1671
v. Hagan, 93 S. W. 1014, 1804, 1815
v. Haines, 10 Kan. 439, 1037
v. Haines, 115 U. S. 512, 1183
v. Haley, 25 Kan. 35, 1337, 1346
v. Haltom, 95 Tex. 112, 1849
v. Hamilton (Tex. Civ App.), 30 S. W. 679, 1290
v. Hammer, 34 Tex. Civ. App. 354, 1257, 1849
v. Hannibal, &c., R. Co., 79 Mo. 478, 1218
v. Hannibal, &c., R. Co., 35 Mo. 84, 1411
v. Harrelson, 44 Kan. 258, 1182, 1183
v. Harrison, 97 Tex. 611, 1594a
v. Hawk, 30 Tex. Civ. App. 142, 1773
v. Haynes, 72 Tex. 175, 1527, 1533
v. Hennessey, 75 Tex. 155, 1689c, 1689d
v. Henry, 75 Tex. 220, 1297
v. Hildebrand, 52 Kan. 284, 1792
v. Hines, 40 S. W. 152, 1332
v. Holman, 15 Tex. Civ. App. 16, 1820
v. Hopkins, 80 S. W. 414, 1224
v. Huff, 32 S. W. 551, 1579, 1827
v. Implement Co., 85 Pac. 408, 1558
v. Jacobson, 179 U. S. 287, 659
v. Jarrell, 86 S. W. 632, 1730
v. Jenkins, 87 Pac. 702, 1167
v. Jenkins, 35 Tex. Civ. App. 429, 1744
v. Johnson, 72 Tex. 95, 1587
v. Johnson, 92 Tex. 380, 1697
v. Jones, 13 Tex. Civ. App. 376, 1179e
v. Jordan, 82 S. W. 791, 1234
v. Kansas Pac. R. Co., 97 U. S. 491, 794, 797, 799, 1096z
v. Kearney, 80 S. W. 387, 1342
v. Keefe, 84 S. W. 679, 1296b
v. Kellerman, 87 S. W. 401, 623
v. Kelley (Tex.), 30 S. W. 488 1245
v. Kincaid, 29 Kan. 654, 1238
v. Kirkham, 63 Kan. 255, 1512
v. Kyser, 95 S. W. 747, 1555
v. Labette County, 9 Kan. App. 545, 389
v. Lehmberg, 75 Tex. 61, 1298a
v. Lewis, 24 Neb. 848, 1272, 1366
v. Liebold, 55 S. W. 368, 1755
v. Long, 27 Kan. 684, 1102, 1105, 1112
v. Love, 61 Kan. 433, 574
v. McCann, 174 U. S. 580, 1424, 1670

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Missouri, &c., R. Co. v. McElree, 16 Tex. Civ. App. 182, 1841, 1844
v. McGlamory, 34 S. W. 359, 1158
v. McLiney, 32 Mo. App. 166, 1541
v. Mackey, 127 U. S. 205, 740, 776
v. Manson, 31 Kan. 337, 1198, 1199
v. Martino, 2 Tex. Civ. App. 604, 1594
v. Mason, 99 S. W. 186, 1829
v. Matherly, 35 Tex. Civ. App. 104, 1159
v. May, 194 U. S. 267, 665
v. Mazzie, 29 Tex. Civ. App. 295, 1450
v. Meeh, 69 Fed. 753, 28
v. Meek, 33 Tex. Civ. App. 47, 1647
v. Meithvein (Tex. Civ. App.), 33 S. W. 1093, 1204
v. Melugin, 63 S. W. 338, 1850
v. Meyers (Tex. Civ. App.), 35 S. W. 421, 1642
v. Milam, 20 Tex. Civ. App. 688, 1812
v. Miller, 8 Tex. Civ. App. 241, 1578, 1590
v. Miller, 25 Tex. Civ. App. 460, 1819
v. Miller, 15 Tex. Civ. App. 428, 1841
v. Mills, 27 Tex. Civ. App. 245, 1840
v. Mitchell, 75 Tex. 77, 1799, 1800
v. Mitchell, 34 Tex. Civ. App. 394, 1831
v. Moffatt, 56 Kan. 667, 1700
v. Mott, 98 Tex. 91, 934a
v. Murphy (Tex. Civ. App.), 35 S. W. 66, 1593, 1598
v. Nail, 24 Tex. Civ. App. 114, 1820
v. Nesbit, 97 S. W. 825, 1172
v. O'Connor, 78 S. W. 374, 1829
v. Oslin, 26 Tex. Civ. App. 370, 1173, 1815
v. Paine, 1 Tex. Civ. App. 621, 1714
v. Parker, 20 Tex. Civ. App. 470, 1829
v. Patrick, 144 Fed. 632, 1415, 1417, 1502, 1503
v. Patton (Tex. Civ. App.), 25 S. W. 329, 1297, 1322
v. Pawkett, 28 Tex. Civ. App. 583, 1315b
v. Peregoy, 36 Kan. 424, 1316
v. Peru, &c., Co., 85 Pac. 408, 1708
v. Pierce, 39 Kan. 391, 1158
v. Platzer, 73 Tex. 117, 1224, 1226, 1232
v. Raney, 99 S. W. 589, 1645a
v. Ray, 25 Tex. Civ. App. 567, 1157
v. Reasor, 28 Tex. Civ. App. 302, 1267a, 1820
v. Reynolds (Tex.), 26 S. W. 879, 721
v. Reynolds, 31 Kan. 132, 1204, 1205
v. Ricketts, 45 Kan. 617, 1198, 1208, 1220a
v. Riggs, 62 Pac. 712, 1711
v. Rose, 19 Tex. Civ. App. 470, 1813
v. Russell, 8 Tex. Civ. App. 578, 1841
v. St. Clair, 21 Tex. Civ. App. 345, 1812
Missouri, &c., R. Co. v. Scarborough, 29 Tex. Civ. App. 194, 1813
v. Scarborough, 51 S. W. 356, 1831
v. Schmuck, 69 Kan. 272, 972, 1053a
v. See, 70 Tex. 496, 1151a
v. Settle, 19 Tex. Civ. App. 357, 1761
v. Shannon, 97 S. W. 527, 736a, 738
v. Sherrill, 32 Tex. Civ. App. 116, 1628b
v. Shirley, 20 Kan. 660, 1220
v. Simmons (Tex. Civ. App.), 33 S. W. 1096, 1579
v. Simonson, 64 Kan. 802, 1420
v. Smith, 82 S. W. 787, 1773
v. Smith, 89 S. W. 668, 1637, 1637a, 1808, 1823
v. Smith, 99 S. W. 743, 1355
v. Smith, 98 Tex. 47, 1377
v. Smith, 84 Tex. 348, 1692
v. Somers, 71 Tex. 700, 1269
v. Southerland, 95 S. W. 747, 1755
v. Spellman (Tex.), 34 S. W. 298, 1311
v. Stafford (Tex.), 31 S. W. 319, 1245, 1245a
v. Stanfield, 90 S. W. 517, 1746
v. State, 97 S. W. 724, 714, 720
v. Stone, 23 Tex. Civ. App. 106, 1849
v. Stoner, 5 Tex. Civ. App. 50, 709, 1449, 1451, 1569
v. Storey, 75 S. W. 847, 1755
v. Tarwater, 33 Tex. Civ. App. 116, 1823
v. Texas, &c., R. Co., 10 Fed. 497, 1119, 1122
v. Texas, &c., R. Co., 4 Woods (U. S.), 360, 1125
v. Texas, &c., R. Co., 41 Fed. 917, 1244
v. Texas, &c., R. Co., 26 S. W. 873, 1245
v. Texas, &c., R. Co., 38 Fed. 816, 1267
v. Texas, &c., R. Co., 31 Fed. 864, 1476
v. Texas, &c., R. Co., 36 Fed. Rep. 879, 1628
v. Texas, &c., R. Co., 41 Fed. 913, 1548
v. Texas, &c., R. Co., 30 Fed. 2, 1666, 1678
v. Thomas, 87 Tex. 282, 1158
v. Thompson (Tex. Civ. App.), 33 S. W. 718, 1871
v. Trinity, &c., Co., 1 Tex. Civ. App. 553, 1563
v. Truskett, 186 U. S. 480, 1730
v. Truskett, 104 Fed. 728, 1484, 1730
v. Turley, 85 Fed. 369, 1641
v. Turley, 1 Ind. Ter. 275, 1839
v. Vance, 41 S. W. 167, 1689, 1773
v. Vines, 92 S. W. 40, 1712
v. Walker (Tex.), 26 S. W. 513, 1283
v. Ward, 10 Kan. 352, 1005, 1049
v. Warren, 39 S. W. 652, 1816
v. Watson, 87 Pac. 687, 796, 801
v. Watts, 63 Tex. 549, 472
v. Webb, 97 S. W. 1010, 1214
v. Webb, 20 Tex. Civ. App. 431, 1734

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Missouri, &c., R. Co. v. Wells, 24 Tex. Civ. App. 304, 303
v. Whitaker (Tex. Civ. App.), 33 S. W. 716, 1346
v. White, 76 Tex. 102, 1279
v. White, 22 Tex. Civ. App. 424, 1841
v. Wilson, 28 Kan. 637, 1205, 1206
v. Witherspoon, 38 S. W. 37, 1729
v. Wolfe, 89 S. W. 778, 1833
v. Wood (Tex.), 52 S. W. 93, 581
v. Wood (Tex.), 35 S. W. 879, 1288
v. Woods (Tex. Civ. App.), 31 S. W. 237, 1551
v. Wortham, 73 Tex. 25, 1841
v. York (Tex.), 18 Am. & Eng. R. Cas. 623, 1491
v. Zwiener, 38 S. W. 375, 1689l
Missouri, &c., Works v. Ellison, 30 Mo. App. 67, 411
Missouri, &c., Co., In re, L. R. 42 Ch. Div. 321, 1494, 1506
Missouri, &c., Co. v. Bradshaw, 33 Kan. 533, 1181
v. Carpenter, 44 Kan. 257, 210
v. Eckel, 49 Kan. 794, 1182
v. First Nat. Bank, 74 Ill. 217, 677
v. Humes, 115 U. S. 512, 1182
v. McFadden (Tex. Civ. App.), 32 S. W. 18, 1488
v. Reinhard, 114 Mo. 218, 17, 24, 164, 264
Mitchell's Case, L. R. 9 Eq. 363, 107
Mitchell, In re, 12 S. Car. 83, 591, 596
Mitchell v. Beckman, 64 Cal. 117, 78, 110, 157
v. Boardman, 79 Me. 469, 643
v. Bridgewater, 10 Cush. (Mass) 411, 1024
v. Bunch, 2 Paige Ch. 606, 553
v. Burlington, 4 Wall. 274, 839
v. Carolina Cent. R. Co., 124 N. Car. 236, 1500, 1516, 1747
v. Chicago, &c., R. Co., 51 Mich. 236, 1313, 1628, 1644
v. Crassweller, 13 C. B. 237, 214, 215
v. Deeds, 49 Ill. 416, 20, 127, 283, 286, 322
v. Ede, 11 Ad. & El. 888, 1426, 1431
v. Franklin, &c., Turnp. Co., 3 Humph. (Tenn.) 456, 1048
v. Grand Trunk R. Co., 51 Mich. 236, 1642a
v. Holderners, 29 N. H. 523, 1015
v. Illinois, &c., R. Co., 85 Ill. 566, 998, 1040
v. Illinois Cent. R. Co., 110 La. Ann. 630, 1157, 1162
v. Kavanaugh, 38 Iowa, 286, 1059
v. Lancashire, &c., R. Co., L. R. 10 Q. B. 256, 1463, 1464, 1505, 1527
v. Metropolitan El. R. Co., 132 N. Y. 552, 1053
v. Missouri Pac. R. Co., 82 Mo. 106, 1215
v. Philadelphia, &c., R. Co., 132 Pa. St. 226, 1260
v. Prange (Mich.), 67 N. W. 1096, 1697
v. Railroad Co., 30 Ga. 22, 1588a
v. Railroad Co., 124 N. Car. 236, 1516
v. Rochester R. Co., 151 N. Y. 107, 1817
Mitchell v. Rome R. Co., 17 Ga. 574, 106, 170, 340, 480
v. Smith, 1 Binney (Pa.), 110, 381
v. Southern Pac. R. Co., 87 Cal. 62, 1589, 1630, 1689l
v. Southern R. Co., 77 Mass. 917, 1594
v. Tacoma, &c., Co., 9 Wash. 120, 1093, 1096cb
v. Third Ave. R. Co., 62 App. Div. (N. Y.) 371, 1096cj
v. United States Exp. Co., 46 Ia. 214, 1420, 1516, 1718, 1721
v. Vermont, &c., Co., 67 N. Y. 280, 154
v. Western, &c., R. Co., 30 Ga. 22, 1628
Mitchell, &c., Co. v. Worthington, 140 Fed. 947, 652, 656a
Mix v. Lafayette, &c., R. Co., 67 Ill. 319, 995, 996, 1028, 1030a
v. Ross, 57 Ill. 121, 781
Mixter v. Imperial, &c., R. Co., 152 Pa. St. 395, 1296, 1307
Mizell v. Burnett, 4 Jones L. 249, 940
M. M. Chase, The, 37 Fed. 708, 1544
Moakler v. Willamette, &c., R. Co., 18 Ore. 189, 1633
Moale v. Baltimore, 5 Md. 314, 781
Moberly v. Kansas City, &c., R. Co., 98 Mo. 183, 1097, 1102
Mobile v. Kimball, 102 U. S. 691, 764, 1663, 1671
v. Railroad Co., 84 Ala. 115, 38
v. Stonewall Ins. Co., 53 Ala. 570, 746
v. Watson, 116 U. S. 289, 837, 840, 918a
v. Yuille, 3 Ala. 137, 197
Mobile, &c., Co. v. Moseley, 52 Miss. 127, 746
v. Sessions, 28 Fed. R. 592, 1666
Mobile, &c., R. Co., In re, 9 I. C. C. C. 373, 1684l
Mobile, &c., R. Co. v. Alabama Midland R. Co., 87 Ala. 501, 74, 632, 966, 967, 974, 1119, 1126
v. Alabama, &c., R. Co., 87 Ala. 520, 5
v. Ashcraft, 48 Ala. 15, 1177, 1689l, 1825
v. Barnhill, 91 Tenn. 395, 624
v. Bromberg, 141 Ala. 258, 1313
v. Caldwell, 83 Ala. 196, 1204, 1205
v. Coerner, 112 Fed. 489, 1179, 1850
v. Copeland, 63 Ala. 219, 1435
v. Dale, 61 Miss. 206, 711
v. Davis, 62 Miss. 271, 528, 577, 580, 581, 587
v. Dugan, 103 Ill. App. 371, 1155
v. Francis, 9 So. 508, 1553, 1748
v. Franks, 41 Miss. 494, 38, 341, 370
v. George, 94 Ala. 199, 1349, 1358, 1815
v. Gilmer, 85 Ala. 422, 333, 336, 420
v. Godfrey, 155 Ill. 78, 1701, 1779
v. Gunn, 68 Miss. 366, 1204
v. Halliday, 79 Miss. 294, 1205
v. Holborn, 84 Ala. 133, 1345, 1349
v. Hopkins, 41 Ala. 486, 1376, 1497, 1608, 1645, 1659
v. Humphries (Miss.), 7 So. 522, 92
v. Jarboe, 41 Ala. 644, 1425, 1500, 1505

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Mobile, &c., R. Co. v. Jurey, 111 U. S. 584, 1415, 1417, 1503, 1509, 1738
v. Kamper, 41 So. 513, 931, 934a, 946c
v. Middleton, 139 Ala. 610, 1089
v. Morrow, 97 S. W. 389, 1213
v. Mullins, 70 Miss. 730, 1550, 1746
v. Nicholas, 98 Ala. 92, 159, 162
v. Owen, 121 Ala. 505, 207, 242, 271
v. People, 132 Ill. 559, 362, 386, 641, 662, 694, 931a, 941
v. Postal Tel. Co., 101 Tenn. 62, 996b
v. Postal Tel. Co., 120 Ala. 21, 1029
v. Prewitt, 46 Ala. 63, 1464
v. Reeves, 25 Ky. L. 2236, 1096cy
v. Smith, 59 Ala. 245, 1284, 1317, 1321
v. State, 29 Ala. 573, 56, 163, 608
v. State, 51 Miss. 137, 668, 723
v. Steiner, 61 Ala. 349, 1564
v. Stinson, 74 Miss. 453, 1227, 1689l
v. Talman, 15 Ala. 472, 42, 489
v. Tennessee, 153 U. S. 486, 304, 316, 746, 768, 915
v. Thomas, 42 Ala. 672, 1266, 1284, 1286, 1308, 1587
v. Tierman, 102 Tenn. 704, 1201
v. Tupelo, &c., Co., 67 Miss. 35, 1435, 1450
v. Vallowe, 214 Ill. 124, 1177, 1268, 1286, 1296, 1308
v. Walsh, 40 So. 560, 1787
v. Watty, 69 Miss. 145, 1257, 1378a
v. Weiner, 49 Miss. 725, 1393, 1403, 1417, 1500, 1501, 1502
v. Williams, 53 Ala. 595, 1180, 1213, 1393, 1692
v. Wisdom, 5 Heisk. 125, 373, 458, 640, 1690
v. Yandal, 5 Sneed (Tenn.), 204, 107
v. Yeates, 67 Ala. 164, 3
Mobley v. Breed, 48 Ga. 44, 1010
Mobus v. Waitsfield, 75 Vt. 122, 1689g
Mock v. Los Angeles Trac. Co., 139 Cal. 616, 1096cg
v. Muncie, 9 Ind. App. 536, 782
Moers v. Reading, 21 Pa. St. 188, 821
Moffat v. Winslow, 7 Paige, 124 237
v. Farquhar, L. R. 7 Ch. Div. 591, 98, 157
v. Great Western R. Co., 15 L. T. 630, 1545
v. Smith, 101 Fed. 771, 600, 604
v. Tenney, 17 Colo. 189, 1349
Moffatt, &c., Co. v. Union Pac. R. Co., 113 Mo. App. 544, 1457a
Moffett v. Rochester, 91 Fed. 28, 1060
Moggy v. Canadian Pac. R. Co., 3 Manitoba, 209, 1097, 1107
Mogul, &c., R. Co. v. McGregor, L. R. 21 Q. B. D. 544, 1467, 1675
Mohawk Bridge Co. v. Utica, &c., R. Co., 6 Paige Ch. (N. Y.) 554, 41, 966, 968
Mohawk, Propeller, In re, 8 Wall. (U. S.) 153, 1571
Mohawk, &c., R. Co., Ex parte, 19 Wend. (N. Y.) 135, 158
Mohawk, &c., R. Co. v. Artcher, 6 Paige, 83, 1104
Mohawk, &c., R. Co. v. Clute, 4 Paige Ch. 384, 79, 737
Mohnke v. New Orleans, &c., Co., 104 La. Ann. 411, 1096ct
Mohr v. Chicago, &c., R. Co., 40 Iowa, 579, 1464, 1535
v. Jackson, &c., R. Co., 106 Mass. 72, 1543
Moise v. Chapman, 24 Ga. 249, 569
Mokelumne Hill, &c., Co. v. Woodbury, 14 Cal. 424, 18
Molair v. Railway, &c., R. Co., 31 S. Car. 510, 1204
Moline v. Pope, 224 Ill. 386, 889
Mollhoff v. Chicago, &c., R. Co., 15 Okla. 540, 1317
Mollison v. Lockhart, 30 N. Brunswick, 398, 1543
Molyneaux v. Southwest, &c., R. Co., 81 Mo. App. 25, 1096ce
Monadanock R. Co. v. Felt, 52 N. H. 379, 104
v. Peterborough, 49 N. H. 281, 858
Monaghan v. New York, &c., R. Co., 45 Hun, 113, 1328
Monahan v. Keokuk, &c., R. Co., 45 Iowa, 523, 1204
v. Worcester, 150 Mass. 439, 213
Monat v. Seattle, &c., R. Co., 16 Wash. 84, 939
Monatiquot, &c., Mills v. Commonwealth, 164 Mass. 227, 1000a
Mondego, The, 56 Fed. R. 268, 1551
Moneypenny v. Sixth Avenue R. Co., 4 Abb. Pr. N. S. (N. Y.) 357, 6
Monk v. Jenkins, 2 Hill Ch. 9, 684
Monmouth, &c., Ins. Co. v. Hutchinson, &c., R. Co., 21 N. J. Eq. 108, 1234
Monmouthshire B. Co. v. Williams, 27 L. T. R. 134, 1566
Monnier v. New York, &c., R. Co., 175 N Y. 281, 200a, 1594, 1594a, 1637a
Monongahela Bridge Co. v. Kirk, 46 Pa. St. 112, 38, 976, 1057c
v. Pittsburgh, &c., R. Co., 196 Pa. St. 25, 15, 20, 21, 78
Monongahela Navigation Co. v. Fenlon, 4 Watts & S. 205, 1059, 1061
v. United States, 148 U. S. 312, 966, 967, 976, 979, 983, 987, 1057
Monongahela, &c., Co. v. Coons, 6 Watts & S. 101, 69
Monroe v. Detroit, &c., R. Co. (Mich.) 106 N. W. 704, 1096b
v. Fort Wayne, &c., R. Co., 28 Mich. 272, 111
v. The Iowa, 50 Fed. R. 561, 1506
Monsseaux v. Urquhart, 19 La. Ann. 482, 95, 156
Montague v. Lowry, 193 U. S. 38, 1674
v. The Henry B. Hyde, 82 Fed. 682, 1415, 1417, 1501
Montain Park Term. R. Co. v. Field, 76 Ark. 239, 952
Montana Ore. &c., Co. v. Boston, &c., Min. Co., 20 Mont. 533, 946a
Montana R. Co. v. Freeser, 29 Mont. 210, 991b
v. Warren, 137 U. S. 348, 994
Montana, &c., R. Co. v. Helena, &c., R. Co., 6 Mon. 416, 921
v. Langlois, 9 Mont. 419, 1678
v. Warren, 6 Mont. 275, 1036
Montandon v. Deas, 14 Ala. 33, 1067

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Montclair v. New York, &c., R. Co., 45 N. J. Eq. 436, 43, 532, 660
Montclair, &c., Academy v. North Jersey St. R. Co., 70 N. J. L. 229, 1096j
Montclair, &c., R. Co. v. Benson, 36 N. J. L. 557, 1036
Montclair Tp. v. New York, &c., R. Co., 45 N. J. Eq. (18 Stew.) 436, 43
Monte Ne R. Co. v. Phillips, 96 S. W. 1060, 1243
Monteilli v. Kokomo, &c., Co., 159 Ind. 149, 711
Montello, The, 20 Wall. 430, 1663
Monterey Co. v. Cushing, 83 Cal. 507, 1025
Monterey, &c., R. R. Co. v. Hildreth, 53 Cal. 123, 102
Montfort v. Schmidt, 36 La. Ann. 750, 1096cb
Montgomery, In re, 48 Fed. 896, 980
Montgomery v. Alabama, &c., R. Co., 97 Ala. 305, 1096bo, 1252
v. Chicago, &c., R. Co., 109 Mo. App. 88, 1301a
v. Exchange Bank (Pa.), 6 Atl. 133, 171
v. Forbes, 148 Mass. 249, 190
v. Johnson (Ky.), 58 S. W. 476, 1096ce
v. Lansing, &c., R. Co., 103 Mich. 46, 1095, 1773
v. Missouri Pac. R. Co., 181 Mo. 477, 1157
v. Montgomery Water-Works, 79 Ala. 233, 1096u
v. Petersburg Sav. Co., 70 Fed. 746, 566
v. Phillips (N. J.), 31 Atl. 622, 604
v. Santa Ana, &c., R. Co., 104 Cal. 186, 6, 1049, 1087, 1096, 1096a, 1096be
v. Sayre, 65 Ala. 564, 751
v. Seaboard, &c., R. Co., 73 S. Car. 503, 1814
v. Townsend, 80 Ala. 489, 978
v. Wasem, 116 Ind. 343, 1701
Montgomery Amusement Co. v. Montgomery Trac. Co., 139 Fed. 353, 628, 1096a, 1096b
Montgomery Coal Co. v. Barringer, 218 Ill. 327, 1308, 1311
Montgomery Gravel Road Co. v. Stockton, 43 Ind. 328, 996
Montgomery St. R. Co. v. Hastings, 138 Ala. 432, 1096cp
v. Lewis (Ala.), 41 So. 736, 1096bp, 1765
v. Mason, 133 Ala. 508, 1096ct, 1759, 1820
v. Smith (Ala.), 39 So. 757, 1096ai, 1096cc
Montgomery Trac. Co. v. Fitzpatrick, 43 So. 136, 1594, 1594a, 1785
v. Harmon, 140 Ala. 505, 347
Montgomery, &c., R. Co. v. Boring, 51 Ga. 582, 338, 1589, 1799
v. Branch, 59 Ala. 139, 334, 336, 535, 613
v. Culver, 75 Ala. 578, 1448, 1450, 1535, 1651, 1658, 1660
v. Edmonds, 41 Ala. 667, 1505, 1508, 1694
v. Hurst, 9 Ala. 513, 216, 217
v. Kolb, 73 Ala. 396, 202a, 1403, 1404, 1406, 1411, 1462
Montgomery, &c., R. Co. v. Mallett, 92 Ala. 209, 1096cr, 1096cn, 1810, 1831
v. Mathews, 77 Ala. 357, 127, 128
v. Moore, 51 Ala. 394, 1444, 1445, 1535
v. Perryman, 91 Ala. 413, 1206
v. Sayre, 72 Ala. 443, 1012, 1035
v. Stewart, 91 Ala. 421, 1628
v. Thompson, 77 Ala. 448, 1256, 1641
v. Varner, 19 Ala. 185, 1038
v. Walton, 14 Ala. 207, 632
Montgomery, &c., Co. v. City Council of Montgomery, 87 Ala. 245, 343
v. Dienelt, 133 Pa. St. 585, 600
v. Hardaway (Ala.), 16 So. 29, 216
v. Montgomery, &c., R. Co., 86 Ala. 372, 1063, 1163
v. Montgomery Trac. Co., 139 Fed. 353, 1096bi
Montgomery, &c., Soc. v. Francis, 103 Pa. St. 378, 486
Monticello v. Banks, 48 Ark. 251, 782
Montpelier v. Barre, &c., Co., 56 Atl. 278, 1096db
Montpelier, &c., R. Co. v. Langdon ,46 Vt. 284, 111
v. Maschi, 74 Vt. 403, 1559
Montrose Pickles Co. v. Dodson, &c., Co., 76 Ia. 172, 626, 1538
Monument, &c., Bank v. Globe Works, 101 Mass. 57, 351, 493
Mooar v. Walker, 46 Iowa, 164, 626
Moody v. Hamilton, &c., Co., 159 Mass. 70, 1327a
v. Minneapolis, &c., R. Co., 77 Ia. 29, 1209, 1210
Mooers v. Kennebec, &c., R. Co., 58 Me. 279, 1048
v. Smedley, 6 Johns. Ch. 28, 782
Moon v. Northern Pac., &c., R. Co., 46 Minn. 106, 1279
v. Richmond, &c., R. Co., 78 Va. 745, 1276, 1316, 1317
Mooney v. Buford, &c., Co., 72 Fed. 32, 624
v. New York, &c., R. Co., 16 Daly (N. Y.), 145, 1086
v. Union Pacific R. Co., 60 Iowa, 346, 627
Moor v. Anglo-Italian Bank, L. R. 10 Ch. Div. 681, 496
Moore v. Albany, 98 N. Y. 396, 1057
v. Baltimore, &c., R. Co., 103 Va. 189, 1525, 1714
v. Bank, 52 Mo. 377, 92, 193
v. Boston, 8 Cush. 274, 1007
v. Brooklyn, &c., R. Co., 108 N. Y. 98, 48
v. Campbell, 111 Ind. 328, 116
v. Central, &c., R. Co., 47 Iowa, 688, 1173
v. Central, &c., R. Co., 24 N. J. Law, 268, 1313
v. Charlotte Elec. R. Co., 128 N. C. 455, 1096cl
v. Charlotte, &c., R. Co., 136 N. C. 554, 1190
v. Chicago, &c., R. Co., 43 Iowa, 385, 627
v. Chicago, &c., R. Co., 19 Neb. 476, 720
v. Chicago, &c., R. Co., 75 Ia. 263, 1057f
v. Chicago, &c., R. Co., 102 Iowa, 595, 1179b

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Moore v. Chicago, &c., R. Co., 78 Wis. 120, 1226, 1232, 1239
v. Citizens' Bank, 111 U. S. 156, 80, 97, 288
v. Columbia, &c., R. Co., 38 S. C. 1, 1a, 1637
v. Des Moines, &c., R. Co., 69 Iowa, 491, 1585, 1830
v. Dublin Cotton Mills, 56 S. E. 839, 1333a
v. Edison, &c., Co., 43 La. Ann. 792, 1633, 1696
v. Fitchburg R. Corp., 4 Gray (Mass.), 465, 213, 1637, 1638, 1857
v. Garwood, 4 Ex. 681, 13
v. Great Northern, &c., R. Co., L. R. 10 Ir. 95, 1548
v. Green, &c., R. Co., 3 Phila. (Pa.) 417, 1014
v. H. Gaus, &c., Co., 113 Mo. 98, 295
v. Halliday, 99 Am. St. 731, 1252
v. Hanover Junction R. Co., 94 Pa. St. 324, 121
v. Henry, 18 Mo. App. 35, 1422, 1451, 1569
v. Kansas City, &c., R. Co., 126 Mo. 265, 1093, 1096aq, 1096bo
v. Keokuk, &c., R. Co., 89 Iowa, 223, 1165
v. Lent, 81 Cal. 502, 282
v. Lindell R. Co., 176 Mo. 528, 1096cj
v. Mayor, 8 N. Y. 110, 1025
v. Mayor, 3 La. Ann. 645, 1163
v. Metropolitan, &c., R. Co., 2 Mackey (D. C.), 437, 1096cp
v. Metropolitan R. Co., L. R. 8 Q. B. 36, 1265
v. New Jersey, &c., Co., 5 N. Y. Supp. 192, 154, 634
v. New Orleans, 32 La. Ann. 726, 918
v. New York, 4 Sandf. (N. Y.) 456, 1025
v. New York, &c., R. Co., 173 Mass. 335, 1450, 1658
v. Norfolk, &c., R. Co., 87 Va. 489, 1313
v. Northern, &c., R. Co., 95 S. W. 652, 1831
v. Ohio River R. Co. (W. Va.), 23 S. E. R. 539, 1610
v. Pennsylvania Co., 167 Pa. St. 495, 1275
v. Rawson, 3 Barn. & Cr. 332, 931
v. Roberts, 64 Wis. 538, 1008, 1052
v. Robinson, 62 Ala. 537, 1426, 1429
v. Ryder, 65 N. Y. 438, 412
v. St. Louis, &c., R. Co., 117 Mo. App. 384, 1194
v. St. Louis, &c., R. Co., 115 La. Ann. 86, 1296, 1301a
v. St. Louis, &c., R. Co., 67 Ark. 389, 1396, 1573, 1578, 1776
v. Saginaw, &c., R. Co., 115 Mich. 103, 1831
v. Saginaw R. Co., 119 Mich. 613, 1628a, 1629
v. Sanford, 151 Mass. 285, 952, 1008
v. Sargent, 112 Ind. 484, 505
v. School Commrs., 8 So. 509, 1060a
v. Schoppert, 22 W. Va. 282, 2, 613
v. Shaw, 47 Me. 88, 1049c
Moore v. Silver, &c., R. Co., 104 N. C. 534, 166
v. Southern R. Co., 53 S. Car. 745, 1273
v. State, 71 Ind. 478, 532
v. Superior, &c., R. Co., 84 Wis. 173, 954
v. Tate, 87 Tenn. 725, 700
v. Taylor, 42 Hun, 45, 1062
v. Town of Edgefield, 32 Fed. R. 498, 918
v. Transit Co., 193 Mo. 411, 1096bw
v. United States, 91 U. S. 270, 1663
v. Wabash R. Co., 84 Mo. 481, 1256
v. Walla Walla, 60 Fed. 961, 879
v. Wilmington, &c., R. Co., 124 N. C. 841, 1227
v. Woonsocket St. R. Co. (R. I.) 63 Atl. 313, 1096bt, 1841
Moore, &c., Hardware Co. v. Towers Hardware Co., 87 Ala. 206, 14, 237
Moorehead v. Little Miami R. Co., 17 Ohio, 340, 930, 1049
Morehoun v. Heath, 99 Ind. 509, 1704
Moorshead v. United R. Co. (Mo. App.) 96 S. W. 261, 449, 469
Moory v. Indiana, &c., R. Co., 4 Biss. U. S.) 73, 325a
Moose v. Carson, 104 N. Car. 431, 1085
Moosic, &c., R. Co., Appeal of (Pa.), 13 Atl. 915, 1122
Moran v. Commissioners, 2 Black, 722, 897, 898
v. Eastern R. Co., 48 Minn. 46, 1792
v. Hagerman, 64 Fed. R. 499, 508
v. Lydecker, 27 Hun (N. Y.), 582, 49, 567, 958
v. Lydecker, 11 Abb. N. Cas. (N. Y.) 298, 596
v. New Orleans, 112 U. S. 69, 756, 758, 760, 763
v. New York City R. Co., 94 N. Y. S. 302, 1808
v. Northern Pac. R. Co., 19 Wash. 266, 1466, 1558, 1560, 1572, 1708
v. Pittsburgh, C. & St. L. Ry. Co., 32 Fed. R. 878, 497
v. Rockland, &c., R. Co., 99 Me. 127, 1265
v. Ross, 79 Cal. 159, 1, 6, 953, 987, 1096f
v. Sturgess, 154 U. S. 256, 553, 654
v. Wayne Civ. Judge, 125 Mich. 6, 561
Morbach v. Home Min. Co., 53 Kan. 731, 169
Mordhurst v. Ft. Wayne, &c., Trac. Co., 163 Ind. 268, 1096bi, 1096be
More v. Lott, 13 Nev. 376, 1539a, 1543
Moreau v. DuBellett (Tex. Civ. App.), 27 S. W. 503, 570
Morehead v. Brown, 6 Jones (N. Car.), 367, 1463
Morel v. Mississippi, &c., R. Co., 4 Bush, 535, 1633
Moreland v. Boston, &c., R. Co., 141 Mass. 31, 1590
Moreluck v. Westminister Water Co. (Md.) 4 Atl. 404, 170
Morena v. Winston, 80 N. E. 473, 1333a
Morewood Co. v. Smith, 25 Ind. App. 264, 1304
Morey v. Lake Superior, &c., R. Co., 125 Wis. 148, 1158

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Morey v. Lockhart, 123 U. S. 56, 655
Morford v. Woodworth, 7 Ind. 93, 1801
Morgan's Appeal, 39 Mich. 675, 998, 1041
Morgan v. Allen, 103 U. S. 498, 176, 869, 873, 918
v. Bank, 8 Yerg. & R. (Pa.) 73, 99
v. Camden, &c., R. Co. (Pa. St.) 16 Atl. 353, 1628
v. Chicago, &c., R. Co., 39 Mich. 675, 998, 1041
v. Chicago, &c., R. Co., 36 Mich. 428, 1020, 1023
v. Chicago, &c., R. Co., 76 Mo. 161, 1065, 1071
v. Commonwealth, 55 Pa. St. 456, 918
v. Des Moines, &c., R. Co., 113 Ia. 561, 931, 938b
v. Des Moines, &c., R. Co., 64 Iowa, 589, 1086, 1113
v. Donovan, 58 Ala. 241, 495, 497
v. East Tennessee, &c., R. Co., 48 Fed. R. 705, 29
v. Hardee, 71 Ga. 736, 584
v. Hudson River, &c., Co., 133 N. Y. 666, 200, 1280
v. Illinois, &c., R. Co., 5 Dill (U. S. C. C.) 96, 1262
v. Kansas Pac. R. Co., 15 Fed. R. 55, 509
v. Kendall, 124 Ind. 454, 1772
v. Lake Shore, &c., R. Co., 138 Mich. 626, 1630
v. London, &c., R. Co., L. R. 12 Q. B. D. 201, 1344
v. Louisiana, 93 U. S. 217, 41, 63, 67, 330, 525, 531, 613, 748, 749, 953
v. Martien, 32 Mo. 438, 507
v. Neville, 74 Pa. St. 52, 627
v. New Orleans, &c., R. Co., 2 Woods, 244, 1494
v. New York, &c., R. Co., 10 Paige (N. Y.), 290, 182, 600
v. New York, &c., R. Co., 133 N. Y. 666, 1280
v. Oregon Short Line R. Co., 27 Utah, 92, 1255
v. Parham, 16 Wall. 471, 756
v. Railroad Co., 96 U. S. 716, 938, 947, 981
v. Railroad Co., 1 Woods (U. S.), 15, 620
v. Railroad Co., 159 Mo. 262, 1096cq
v. Sears, 159 Mass. 570, 1342
v. Skiddy, 62 N. Y. 319, 279, 282
v. Smith, 159 Mass. 570, 1320
v. Southern, &c., R. Co., 95 Cal. 510, 1378, 1822
v. Struthers, 131 U. S. 246, 92
v. Turner, 4 Tex. Civ. App. 192, 73
v. United States, 113 U. S. 476, 484, 485
v. Wabash, &c., R. Co., 159 Mo. 262, 1252
Morgan Co. v. Thomas, 76 Ill. 120, 526, 869, 873
Morgan County v. Allen, 103 U. S. 498, 176, 869, 873, 918
Morgan Civil Township v. Hunt, 104 Ind. 590, 1041
Morgan, &c., R. Co. v. Railroad Comm'rs, 109 La. Ann. 247, 682a
Morgan's Louisiana, &c., R. Co. v. Bourdier, 1 McGloin (La.), 232, 1020, 1025
Morgan's Louisiana, &c., R. Co. v. Texas Central R. Co., 137 U. S. 171, 514, 528, 590
Morgan's, &c., Co. v. Louisiana, &c., 118 U. S. 455, 658, 1668
Morgantown Mfg. Co. v. Ohio River, &c., R. Co., 121 N. Car. 514, 1415, 1450, 1695
Morhart v. North Jersey St. R. Co., 64 N. J. L. 236, 1096cc
Moriarty v. Central Iowa R. Co., 64 Iowa, 646, 1198
v. Harnden's Express, 1 Daly (N. Y. C. P.), 227, 1466
v. Kent, 71 Ind. 601, 568
Morier v. St. Paul, &c., R. Co., 31 Minn. 351, 214, 215, 1227
Morice v. Milwaukee, &c., Co. (Wis.) 109 N. W. 567, 1096cp
Morin v. St. Paul, &c., R. Co., 30 Minn. 100, 985, 988, 998
Morisette v. Canadian Pac. R. Co., 76 Vt. 267, 1374
Morison v. Gray, 2 Bing. 260, 1540
Moritz v. Miller, 87 Ala. 331, 556
v. St. Paul, 52 Minn. 409, 1003b
Morley v. Hay, 3 M. & Ryland, 396, 1540
v. Saginaw Cir. Judge, 117 Mich. 246, 566
Morling v. Bronson, 37 Neb. 608, 506
Mormon Church v. United States, 136 U. S. 1, 611
Morning Side Park, In re, 10 Abb. Pr. N. S. (N. Y.) 338, 1047
Morning Light, The, 2 Wall. 560, 1481
Morning Star v. Railroad Co., 135 Ala. 251, 1598
Morrell v. Dixfield, 30 Me. 157, 170
Morrill v. Boston, &c., R. Co., 55 N. H. 531, 365, 367, 385, 1675
v. C. T., &c., Co., 32 Hun, 543, 266
v. Little Falls, &c., Co., 53 Minn. 371, 78, 157, 161
v. Noyes, 56 Me. 458, 389, 498
v. Smith County, 89 Tex. 529, 322, 325
v. Wabash, &c., R. Co., 96 Mo. 174, 400, 419, 940, 943
Morris v. Atlantic R. Co., 116 N. Y. 552, 1637
v. Brown, 111 N. Y. 318, 1255, 1573
v. Cheney, 51 Ill. 451, 145, 490
v. Chicago, 11 Ill. 650, 1053
v. Chicago, &c., R. Co., 45 Ia. 29, 1808, 1812, 1815, 1820
v. Chicago, &c., R. Co., 65 Iowa, 727, 710, 1364
v. Chicago, &c., R. Co., 26 Fed. R. 22, 1108, 1153
v. Comptroller, 54 N. J. Law, 268, 1015
v. Council Bluffs, 67 Ia. 343, 1057f
v. Delaware, &c., R. Co., 2 Interst. Com. 617, 1551
v. Duluth, &c., R. Co., 108 Fed. 747, 1296, 1313
v. Eastern R. Co., 88 Minn. 112, 1278a
v. Gleason, 1 Ill. App. 510, 1312
v. Keil, 20 Minn. 531, 414
v. Lake Shore R. Co., 148 N. Y. 182, 1179b, 1314, 1689f, 1702
v. Merrel, 44 Neb. 423, 872
v. Metaline Land Co., 164 Pa. St. 326, 152, 153

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

Morris v. Missouri, &c., R. Co., 78 Tex. 17, 623
v. New York, &c., R. Co., 106 N. Y. 678, 1096ct, 1644, 1696
v. St. Louis, &c., R. Co., 58 Mo. 78, 1194, 1195
v. Scaalisville, &c., R Co., 4 Bush. (Ky.) 448, 924, 969
v. Shyock, 50 Miss. 590, 1540
v. Stephens, 46 Pa. St. 200, 409
v. Spartanburg R. &c., Co., 70 S. C. 279, 1096bv
v. Third Ave. R. Co., 1 Daly (N. Y.) 202, 1652a
v. Winchester Repeating Arms Co., 73 Conn. 680, 1773
v. Wisconsin Midland R. Co., 82 Wis. 541, 977
Morris Canal Co. v. State, 24 N. J. L. 62, 966
Morris Canal, &c., Co. v. Fisher, 64 Am. Dec. 423, 484, 486
v. Fisher, 1 Stockt. Ch. (N. J.) 607, 484
v. Seward, 23 N. J. Law 219, 1004
v. Van Vorst's Admx., 21 N. J. L. 100, 232, 233
Morris Run Coal Co. v. Barclay Coal Co., 68 Pa. St. 173, 366, 385
Morris, &c., R. Co. v. Ayres, 29 N. J. Law 293, 193, 199, 200, 202, 1463, 1464, 1521
v. Blair, 9 N. J. Eq. 635, 921, 927, 985, 1083
v. Bonnell, 34 N. J. L. 474, 938, 1035
v. Central, &c., R. R. Co., 31 N. J. L. 205, 41, 374, 922, 923, 930, 962, 964, 971, 1116
v. Haslan, 33 N. J. Law 147, 1172
v. Hudson, &c., Co., 25 N. J. Eq. 384, 925, 1050
v. Newark, 10 N. J. Eq. 352, 38, 1087, 1113
v. Newark, &c., R. Co., 51 N. J. Eq. 379, 1135
v. Orange, 63 N. J. L. 252, 1103
v. Prudden, 20 N. J. Eq. 530, 1096
v. State, 36 N. J. L. 553, 1221
v. Sussex R. Co., 20 N. J. Eq. 542, 38, 340, 371, 382
Morris, &c., Co. v. Central R. Co., 16 N. J. Eq. 419, 1029
v. Jersey City, 65 N. J. L. 683 785
v. Nathan, 2 Hall (N. Y.) 239, 115
Morriss v. Virginia Insurance Co., 85 Va. 588, 559
Morrissy v. Bridgeport Trac. Co., 68 Conn. 215, 1096ch, 1096cq
v. Chicago, &c., R Co., 38 Neb. 406, 1057f
v. Eastern R. Co., 126 Mass. 377, 1250, 1252, 1257, 1259, 1260
v. Providence, &c., R. Co., 15 R. I. 271, 1190
Morrison, In re, 10 Nat. Bank Reg. 105, 101
Morrison v. American Snuff Co., 79 Miss. 330, 325, 334, 336
v. Buckner, 1 Hempst. (U. S.) 412, 545
v. Bucksport, &c., R. Co., 67 Me. 353, 977
v. Davis, 20 Pa. St. 171, 1457, 1457a, 1488, 1733
v. Erie, &c., R. Co., 56 N. Y. 302, 1628
Morrison v. European, &c., R. Co., 15 New Bruns. 295, 1662a
v. Fairmount, &c., Trac. Co., 55 S. E. 669, 988
v. Foreman, 177 Ill. 427, 567, 958
v. Inhabitants, &c., of Bernards, 36 N. J. L. 219, 485
v. Indianapolis, &c., R. Co., 76 N. E. 961, 957, 1025, 1028, 1029a, 1035bm
v. Jacoby, 114 Ind. 84, 752
v. New York, &c., R. Co., 32 Barb. (N. Y.) 568, 1214
v. Phillips, &c., Co., 44 Wis. 405, 1502, 1511, 1551
v. St. Paul, &c., R. Co., 63 Minn. 75, 455
v. Thistle Coal Co., 119 Ia. 705, 961
v. Wilder Gas. Co., 91 Me. 492, 260
Morrow v. Atlantic R. Co., 134 N. Car. 92, 1579, 1628
v. Hannibal, &c., R. Co., 29 Mo. App. 432, 1214
v. Iron, &c., Co., 87 Tenn. 262, 88
v. Nashville, &c., Co., 87 Tenn. 262, 112
v. Pullman, &c., Co., 98 Mo. App. 351, 1616, 1622
v. Sweeney, 10 Ind. App. 626, 1248, 1251
Morse v. Auburn, &c., R. Co., 10 Barb. (N. Y.) 621, 1815
v. Beale, 68 Iowa 463, 411
v. Brainerd, 41 Vt. 550, 303
v. Canadian Pac. R. Co., 97 Me. 77, 1446, 1516
v. Chesapeake, &c., R. Co., 25 Ky. L. 1159, 1817
v. Minneapolis, &c., R. Co., 30 Minn. 465, 1177, 1301a, 1796
v. Morse, 44 Vt. 84, 479
v. Rutland, &c., Co., 27 Vt. 49, 1180 1204
Morshead v. Southern Pac. R. Co., 123 Fed. 350, 620
Morss v. Boston, &c., R. C., 2 Cush. 536, 420, 935, 1181
Mortimer v. Louisville, &c., R. Co., 10 Bush 485, 1183
Mortland v. Philadelphia, &c., R. Co., 81 Hun 473, 1652
Morton v. Consolidated R. Co., 63 Atl. 1087, 1594, 1637
v. Detroit, &c., R. Co., 81 Mich. 423, 1276, 1278
v. Franklin Co., 62 Me. 455, 1028
v. Mutual, &c., Ins. Co., 105 Mass. 141, 649
v. New Orleans, &c., R. Co., 79 Ala. 590, 484, 510, 527
v. Oregon, &c., R. Co., 87 Pac. 151, 1057f
v. Powers, 33 Minn. 521, 1096u
Morton, &c., Co. v. Wysong, 51 Ind. 4, 163, 194
Morville v. American, &c., Co., 123 Mass. 129, 369
Mosca Milling Co. v. Murto, 18 Colo. App. 437, 527a
Moseby v. Burrow, 52 Tex. 396, 570, 601, 606, 608
Moser v. Tompkins, 84 Ala. 613, 248
v. St. Paul, &c., R. Co., 42 Minn. 480, 1194, 1209
Moses v. Boston, &c., R. Co., 24 N. H. 71, 393, 1403, 1404, 1409, 1501
v. Boston, &c., R. Co., 32 N. H. 523, 1464, 1521, 1527
v. Louisville, &c., R. Co., 39 La. Ann. 649, 1590, 1641

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Moses v. McFerlan, 2 Burr. 1005, 908
v. Norris, 4 N. H. 304, 1455
v. Ocee Bank, 1 Lea (Tenn.) 398, 179
v. Pittsburgh, &c., R. Co., 21 Ill. 516, 41, 927a, 1087
v. Port Townsend, &c., R. Co., 5 Wash. 595, 1451, 1569
v. St. Louis, &c., Dock Co., 84 Mo. 242, 1023, 1027, 1055
v. Southern Pac. R. Co., 18 Ore. 385, 1180, 1181, 1194, 1209
v. Tompkins, 84 Ala. 613, 136, 152, 244, 271, 634
Moshannon, &c., Co. v. Sloan, 109 Pa. St. 532, 295
Mosher v. Independent, &c., District, 44 Iowa 122, 845
v. St. Louis, &c., R. Co., 127 U. S. 390, 364, 1593, 1596, 1597
v. Southern Ex. Co., 38 Ga. 37, 1435, 1441
Moshier v. Utica, &c., R. Co., 8 Barb. 427, 1207
Mosier v. Oregon Nav. Co., 39 Ore. 256, 977a, 1057b
Moskowitz v. Navigation Co., 84 N. Y. S. 297, 1662
Moss's Appeal, 83 Pa. St. 264, 307, 320
Moss v. Averell, 10 N. Y. 449, 933
v. McCullough, 5 Hill (N. Y.) 131, 180
v. North Carolina R. Co., 122 N. Car. 889, 1594, 1689d
v. Pacific, &c., R. Co., 49 Mo. 167, 1284, 1292
v. Syers, 32 L. J. Ch. 711, 82
Mostyn v. Fabrigas, 1 Cowp. 161, 623
Mote v. Chicago, &c., R. Co., 27 Iowa, 22, 1218, 1651, 1652, 1659
Motol v. Sixth Ave. R. Co., 99 N. Y. 632, 1261
Mott v. Consumers' Ice Co., 73 N. Y. 543, 1265
v. Detroit, &c., R. Co., 120 Mich. 127, 1813
v. Hicks, 1 Cow. (N. Y.) 513, 21, 279
v. Union Bank, 38 N. Y. 18, 73
v. United States Trust Co., 19 Barb. (N. Y.) 568, 259
Mottley v. Louisville, &c., R. Co., 150 Fed. 406, 1680
Mottram v. Heyer, 5 Denio 629, 1542
Motz v. Detroit, 18 Mich. 494, 782
Moulder v. Cleveland, &c., R. Co., (Ohio C. P.) 1 Ohio N. P. 361 1133
Moules v. Delaware, &c., R. Co., 141 Pa. St. 632, 1315b
Moulton v. Evansville, 25 Fed. R. 382, 826, 871, 872, 903, 905
v. Gage, 138 Mass. 390, 1345
v. Louisville, &c., R. Co., 128 Ala. 537, 1702
v. St. Paul, &c., R. Co., 31 Minn. 85, 1454, 1497, 1510, 1511, 1545, 1548, 1549, 1550
Moultrie v. Fairfield, 105 U. S. 370, 832
Moultrie County v. Rockingham, &c., Bank, 92 U. S. 631, 898, 901, 903
Mounce v. Lodwick Lumber Co., 91 S. W. 240, 1355
Mound City, &c., Co. v. Conlon, 92 Mo. 221, 1266, 1320
Moundsville v. Ohio River R. Co. (W. Va.) 20 L. R. A. 161, 635
v. Ohio River R. Co., 37 W. Va. 92, 635, 639, 1106
Mount v. Radford Trust Co., 93 Va. 427, 620
Mt. Auburn Cable Co. v. Weare, 54 Ohio St. 153, 1096m
Mount Hope Cemetery v. Boston, 158 Mass. 509, 980
Mt. Pleasant v. Baltimore, &c., R. Co., 138 Pa. St. 365, 782
v. Beckwith, 100 U. S. 514, 329, 835, 918a
Mt. Pleasant Coal Co. v. Delaware &c., R. Co., 6 Lack. Leg. N. 1, 946b
Mt. Pleasant, &c., Co. v. Cape Fear, &c., R. Co., 106 N. Car. 207, 1451, 1563, 1564
Mt. Sterling, &c., Co. v. Little, 14 Bush (Ky.) 429, 102
v. Looney, 1 Metc. (Ky.) 550, 283, 287
Mt. Vernon v. Hovey, 52 Ind. 563, 126, 836, 863, 886, 913
Mt. Vernon Co. v. Alabama, &c. R. Co., 92 Ala. 296, 1409, 1412
Mt. Washington R. Co., In re, 35 N. H. 134, 950, 991, 995, 996, 1010, 1012
Mountz v. Philadelphia, &c., R. Co., 203 Pa. St. 128, 1025
Mouritz v. New York, &c., R. Co., 23 Fed. R. 765, 1593
Mousseaux v. Urquhart, 19 La. Ann. 482, 158
Mouton v. Louisville, &c., R. Co., 128 Ala. 537, 1501
Mowbray v. Ontrim, 123 Ind. 24, 233, 294
Mower v. Kemp, 42 La. Ann. 1007, 489
v. Staples, 32 Minn. 284, 45
Mowrey v. Indianapolis, &c., R. Co., 4 Biss. (U. S.) 78, 43, 45, 56, 328
Mowry v. Hawkins, 57 Conn. 453, 98
Moxley v. Canada, &c., R. Co., 14 Ont. App. 309, 1242
v. Shepard, 3 Cal. 64, 1072
v. Southwest, &c., R. Co., (Mo. App.) 99 S. W. 763, 1096cn
Moyer v. East Shore, &c., Co., 25 L. R. A. 48, 192
v. East Shore, &c., Co., 41 S. Car. 300, 192, 287
v. Ft. Wayne, &c., R. R. Co., 132 Ind. 88, 526, 1689e
v. New York Cent. R. Co., 88 N. Y. 351, 977, 1057f
v. Ramsay, &c., Co., 119 Ga. 734, 1310
Moyers v Coiner, 22 Fla. 422, 584
Moylan v. Second Ave. R. Co., 128 N. Y. 583, 1096cz
Moynahan v. Superior Court, 42 Wash. 172, 1023
Moynihan v. Hills Co., 146 Mass. 586, 1342
Mozley v. Alston, 1 Phill. 790, 634
Muckle v. Rochester R. Co., 79 Hun. N. Y. 32, 1096da, 1598
Mud Creek, &c., Co. v. State, 43 Ind. 236, 53
Mudgett v. Bay State Steamboat Co., 1 Daly (N. Y.) 151, 1654
v. Horrell, 33 Cal. 25, 108, 157
Mueller v. Chicago, &c., R. Co., 75 Minn. 109, 1599a
v. Kuhn, 59 Ill. App. 353, 1820
v. Lake Shore, &c., R. Co. (Mich.), 63 N. W. 416, 1697

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Mueller v. Milwaukee St. R. Co., 86 Wis. 340, 1095, 1096cc, 1096cf
v. St. Louis, &c., R. Co., 31 Mo. 262, 1055
v. St. Louis Transit Co., 108 Mo. App. 325, 1801
Mugler v. Kansas, 123 U. S. 623, 667, 1461, 1668
Muhl v. Michigan, &c., R. Co., 10 Ohio St. 272, 1359, 1368
Muhle v. New York, &c., R. Co., 86 Tex. 459, 931
Muhlenberg v. Philadelphia, &c., R. R. Co., 47 Pa. St. 16, 483
Muhlker v. New York, &c., R. Co., 173 N. Y. 549, 948a
v. New York, &c., R. Co., 197 U. S. 544, 948a, 954a, 978, 996e, 1057a 1085
Muhlman v. Union Pacific Co., 2 L. R. A. 192, 300
Muire v. Falconer, 10 Gratt. (Va.) 12, 1022
Muirhead v. Hannibal, &c., R. Co., 103 Mo. 251, 1296
Mulcahey v. Strauss, 151 Ill. 70, 506, 572
v. Washburn, &c., Co., 145 Mass. 281, 1361, 1361a, 1363
Mulderig v. St. Louis, &c., R. Co., 116 Mo. App. 665, 1698
Muldoon v. Seattle City R. Co., 7 Wash. 528, 1096cz, 1378c, 1608, 1630, 1645
v. Seattle, &c., R. Co., 10 Wash. 311, 1613, 1614, 1615, 1645
Muldowney v. Illinois, &c., R. Co., 36 Ia. 462, 1816
v. Illinois, &c., R. Co., 39 Iowa 615, 1269, 1296
v. Pittsburg, &c., Trac. Co., 8 Pa. Sup. Ct. 335, 1096da
Mulhado v. Brooklyn City R. Co., 30 N. Y. 370, 1699
Mulhall v. Fallon, 176 Mass. 266, 1366a
Mulhern v. Lehigh Coal Co., 161 Pa. St. 270, 1315
Mulherrin v. Delaware, &c., R. Co., 81 Pa. St. 366, 1251
Mull v. Jones, 33 Kan. 112, 625
Mullan v. Philadelphia, &c., R. Co. 78 Pa. St. 25, 1316
v. Wisconsin Cent. R. Co., 46 Minn. 474, 1639
Mullanphy Bank v. Schott, 135 Ill. 655, 604
Mullen v. Galveston, &c., R. Co., 92 S. W. 1000, 1820
v. Lake Drummond, &c., Co., 130 N. Car. 496, 1005, 1057f
v. Old Colony R. Co., 127 Mass. 86, 1377
v. Owosso, 100 Mich, 103, 1178
v. St. John, &c., R. Co., 57 N. Y. 567, 1263
v. Springfield St. R. Co., 164 Mass. 450, 1096cd
v. Steamship Co., 78 Pa. St. 25, 1317
Muller v. Chicago, &c., R. Co., 149 Fed. 939, 655a
v. District of Columbia, 5 Mackey (D. C.) 286, 1689g
v. Dows, 94 U. S. 444, 27, 28, 515, 520, 554, 790, 1074, 1096ad
Mulligan v. Curtis, 100 Mass. 512, 1172
v. Illinois R. Co., 36 Iowa 181, 1417, 1438, 1501, 1502
v. New York, &c., R. Co., 129 N. Y. 506, 1265, 1639
v. New York, &c., R. Co., 129 Ind. 394, 1638
v. New York R. Co., 129 N. Y. 506, 1638
v. Northern, &c., R. Co., 4 Dak. 315, 303, 1652a, 1659
v. Smith, 59 Cal. 206,, 1019
Mullin v. California, &c., R. Co., 105 Cal. 77, 1276, 1283
v. Spangenberg, 112 Ill. 140, 1803
Mulliner v. Midland, &c. R. Co., 11 Ch. Div. 611, 400
Mumford v. Chicago, &c., R. Co., 128 Ia. 685, 1358
Mumma v. Potomac Co., 8 Peters (U. S.) 281, 345, 608, 611, 613
Mumper v. Wilson, 72 Iowa 163, 627
Muncey v. Joest, 74 Ind. 409, 871
Munch v. New York, &c., R. Co., 29 Barb. 647, 1200
Muncie Nat. Gas. Co. v. Muncie, 160 Ind. 97, 372, 385
Muncie St. R. Co. v. Maynard, 5 Ind. App. 372, 1096cn, 1096cf, 1264
Muncy Creek, &c., Co. v. Hill, 84 Pa. St. 459, 73
Mundhenk v. Central Iowa R. Co., 57 Iowa 718, 1193, 1194, 1198, 1216
Mundle v. Hill Manufacturing Co., 86 Me. 400, 1297
Mundt v. Sheboygan, &c., R. Co., 31 Wis. 451, 1061, 1065
Mundy v. Louisville, &c., R. Co., 67 Fed. R. 633, 1059, 1527
Munhall v. Pennsylvania R. Co., 92 Pa. St. 150, 356, 388
Municipal Trust Co. v. Johnson City, 116 Fed. 459, 814, 856, 890, 897, 898, 905
Municipality No. 2 v. Dunn, 10 La. Ann. 57, 782
Munkers v. Kansas City, &c., R. Co., 60 Mo. 334, 3, 973
Munks v. Jackson, 66 Fed. R. 571 1399
Munkwitz v. Chicago, &c., R. Co., 64 Wis. 403, 987, 992, 994, 1040
Munn v. Illinois, 94 U. S. 113, 2, 637, 662, 950, 1593, 1663
Munos v. Southern, &c., R. Co., 51 Fed. R. 188, 1373
Munro v. Pacific, &c., Co., 84 Cal. 515, 1057, 1378, 1378a
v. Wivenhoe, &c., R. Co., 4 DeG., J. & S. 723, 936, 1062
Munroe v. Ft. Wayne, &c., R. Co., 28 Mich. 272, 125
Munson v. Syracuse, &c., R. Co., 103 N. Y. 58, 14, 276, 933
v. Syracuse, &c., R. Co., 29 Hun 76, 169
v. Town of Lyons, 12 Blatchf. (U. S.) 539, 904
Munster v. Southeastern R. Co., 4 C. B. (N. S.) 676, 1466, 1647
Munt's Case, 22 Beav. 55, 95
Munt v. Shrewsbury, &c., R. Co., 13 Beav. 1, 372, 374
Muntz v. Algiers, &c., St. R. Co., 111 La. Ann. 423, 473
Murch v. Concord R. Co., 29 N. H. 9, 33, 471, 477, 1393, 1466, 1580, 1629
v. Western, &c., R. Co., 78 Hun (N. Y.) 601, 1257
v. Wright, 46 Ill. 487, 494

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Murdfeldt v. New York, &c., R. Co., 102 N. Y. 703, 1063, 1145
v. New York, &c., R. Co., 1 Sil. App. (N. Y.) 93, 1141
Murdock v. Boston, &c., R. Co., 137 Mass. 293, 1593, 1594
v. Cincinnati, 44 Fed. R. 726 980
v. New York, &c., Co., 167 Mass. 549, 1808
v. Oakland, 128 Cal. 22, 1315g
v. Prospect Park, &c., R. Co., 73 N. Y. 579, 949
v. Prospect, &c., R. Co., 10 Hun 598, 1008
v. Walker, 152 Pa. St. 595, 633
v. Woodson, 2 Dill. 188, 503
Murdock, &c., Co. v. Commonwealth, 152 Mass. 28, 806
Murfreesboro Railroad Co. v. Commissioners, 108 N. C. 56, 842, 870
Murphy, Re, 51 Wis., 519, 98
Murphy v. Adams, 71 Me. 113, 1073
v. Boston, &c., R. Co., 133 Mass. 121, 1154, 1249, 1252
v. Boston, &c., R. Co., 88 N. Y. 146, 1316
v. Brooklyn, 118 N. Y. 575 1689f
v. Central Park, &c., R. Co., 48 N. Y. Super Ct. 96, 1802
v. Chicago, &c., R. Co., 38 Iowa 539, 1154
v. Chicago, &c., R. Co., 45 Iowa 661, 1162, 1250, 1357
v. Chicago, &c., R. Co., 45 Wis. 222, 1238
v. City Coal Co., 172 Mass. 324, 1346
v. Deane, 101 Mass. 455, 1175, 1313
v. Derby St. R. Co., 73 Conn. 249, 1096ce
v. Grand Trunk R. Co., 73 N. H. 18, 1301a
v. Holbrook, 20 Ohio St. 137, 577, 1341
v. Kingston, &c., R. Co., 11 Ont. 582, 955
v. Long Branch, 61 Atl. 593, 848
v. Louisville, 9 Bush (Ky.) 189, 783
v. Michigan Cent. R. Co., (Mich.) 65 N. W. 753, 1176
Murphy v. New York, &c. R. Co., 29 Conn. 499, 1801
v. New York, &c., R. Co., 66 Barb. (N. Y.) 125, 1788
v. New York Cent. R. Co., 118 N. Y. 527, 1298a
v. New York, &c., R. Co., 187 Mass. 18, 1352
v. Phillips, 35 L. T. R. (N. S.) 477, 1278
v. Railroad, 38 Ia. 539, 1096cl
v. Staton, 3 Munf. (Va.) 239, 1455, 1718
v. Union R. Co., 118 Mass. 228, 200, 1637
v. Wabash, &c., R. Co., 115 Mo. 111, 1288
v. Wabash, &c., R. Co., 5 Interst. Com. Com. 122, 1684
v. Western, &c., R. Co., 23 Fed. 637, 1637, 1639
v. Wilson, 52 L. J. (Q. B.) 524, 1338
Murray v. Boston, &c., R. Co., 72 N. H. 32, 1689l
v. Charleston, 96 U. S. 432, 806, 869, 873
v. Chicago, &c., R. Co., 62 Fed. R. 24, 701, 1564, 1663
Murray v. Chicago, &c., R. Co., 92 Fed. 868, 1467
v. Currie, L. R. 6 C. P. 24, 215
v. Denver, &c., R. Co., 11 Colo. 124, 1286, 1697
v. Farmville, &c., R. Co., 101 Va. 262, 497
v. Fitchburg R. Co., 130 Mass. 99, 1055
v. Fitchburg R. Co., 165 Mass. 448, 1169
v. Galveston, &c., R. Co., 63 Tex. 407, 714
v. Glasgow, &c., R. Co., 4 R. & Canal Traf. Cas. 456, 1684
v. Glasse, 17 Jur. 816, 307
v. Gulf, &c., R. Co., 73 Tex. 2, 1689c, 1771
v. Gulf, &c., R. Co., 63 Tex. 407, 1564
v. Hudson, &c., R. Co., 47 Barb. (N. Y.) 196, 1828
v. International Steamship Co., 170 Mass. 166, 1651
v. Lardner, 2 Wall. (U. S.) 110 484
v. Missouri, &c., R. Co., 101 Mo. 236, 1153
v. New York, &c., R. Co., 4 Keyes 274, 1185
v. Nichols, etc., Co., 11 N. Y. Supp. 734, 1414
v. Pontchartrain Railway Co., 31 La. Ann. 490, 1095, 1163, 1374
v. Richmond, &c., R. Co., 93 N. Car. 92, 1261
v. Railroad, 66 Conn. 512, 1589
v. Railway Co., 92 Fed. 868, 1467
v. St. Louis, &c., R. Co., 98 Mo. 573, 1333c
v. Salt Lake City, &c., R. Co., 16 Utah 356, 1689l
v. South Carolina R. Co., 1 McMullan (S. Car.) 385 234, 1300, 1316
v. South Carolina R. Co., 10 Rich. (S. Car.) 227, 1090, 1213
v. Vanderbilt, 39 Barb. (N. Y.) 140, 179
v. Ushers, 117 N. Y. 542, 1378b
v. Warner, 55 N. H. 546, 1528, 1530
v. Wilcox, 122 Ga. 188, 654
Murrell v. Missouri Pac. R. Co., 105 Mo. App. 88, 1154, 1251, 1252
v. Pacific Express Co., 54 Ark. 22, 1730
Murry Hill Land Co. v. Milwaukee, &c., Co., 110 Wis. 555, 1096u
Murtaugh v. New York, &c., R. Co., 49 Hun (N. Y.) 456, 1827
Murtry v. Louisville, &c., R. Co., 67 Miss. 601, 1313
v. Tuttle, 13 Neb. 232, 559
Muscatine v. Chicago, &c., Co., 79 Iowa 645, 786, 789
v. Chicago, &c., Co., 88 Iowa 291, 786, 791
v. Mississippi, &c., R. Co., 1 Dill. (U. S.) 536, 863
Muscatine, &c., Co. v. Muscatine Lumber Co., 85 Iowa 112, 345
Muscatine, &c., R. Co. v. Horton, 38 Iowa 33, 126, 886
Muschamp v. Lancaster, &c., R. Co., 8 M. & W. 421, 476, 1393, 1435
Muser v. American Ex. Co., 1 Fed. R. 382, 1421
v. Holland, 17 Blatchf. 412, 1454

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Musgrave v. Morrison, 54 Md. 161, 107, 111a
Musgrove v. Vicksburg, &c., R. Co., 50 Miss 670, 56
Musick v. Kansas City, &c., R. Co., 114 Mo. 309, 1010
Muskingum Valley, &c., Co. v. Ward, 13 Ohio 120, 140, 141, 142
Musser v. Fairmount, &c., R. Co., Am. L. Reg. (O. S.) 284, 1081
v. Lancaster City St. R. Co., 176 Pa. St. 621, 1096cd
v. McRae, 38 Minn. 409, 796, 797
Mussina v. Goldthwaite, 34 Tex. 125, 167
Muster v. Chicago, &c., R. Co., 61 Wis. 325, 1256, 1290
Mutual Benefit, &c., Co. v. Elizabeth, 42 N. J. Law 235, 351
Mutual & Ins. Co., In re, 107 Ia. 143, 375
Mutual Life Ins. Co. v. Forty-second St. R. Co., 74 Hun (N. Y.) 505, 79, 93
v. Langley, 145 Fed. 415, 654, 656a
Mutual Reserve Ass'n. v. Phelps, 190 U. S. 147, 656a
Mutual Union Tel. Co. v. Katkamp, 103 Ill. 420, 1041
Myar v. St. Louis, &c., R. Co., 71 Ark. 552, 1437
Myatt v. St. Helen's, &c., Ry. Co., 2 Q. B. 364, 496
Myer v. Car Co., 102 U. S. 1, 497, 498
v. Cleveland, &c., R. Co., 9 I. C. C. 73, 1678a
v. Dresser, 16 Com. B. (N. S.) 646, 1419
Myers v. Baltimore, &c., Railway Co., 150 Pa. St. 386, 1165, 1703
v. Baymore, 10 Pa. St. 114, 1571
v. Brantford St. R. Co., 31 Ont. 209, 1096cn
v. Caperton, 87 Ky. 306, 281
v. Croft, 13 Wall. 294, 397, 409
v. De Pauw Co., 138 Ind. 590, 1283
v. Estell, 48 Miss. 372, 537
v. Hewitt, 16 Ohio, 449, 517
v. Hudson Iron Co., 150 Mass. 125, 1274
v. McGavock, 39 Neb. 843, 934, 948
v. Pennsylvania Co., 2 Int. C. C. 403, 1678a
v. Perigal, 2 DeGex, M. & G. 74, 237
v. Richmond, &c., R. Co., 87 N. Car. 345, 1264
v. St. Louis, 82 Mo. 367, 977
v. Swann, 107 U. S. 546, 647
v. The Queensmore, 53 Fed. R. 1022, 1559
v. Wabash, &c., R. Co., 90 Mo. 98, 1504, 1511, 1552, 1553
v. York, &c., R. Co., 2 Curtis (U. S.), 28, 1062
Myerson v. Wolverton, 29 N. Y. Supp. 737, 1658
Myette v. Gross, 18 R. I. 729, 1361
Mygatt v. Green Bay, 1 Biss. (U. S.) 292, 898
Myhea v. Superior, &c., R. Co. (Wis.), 67 N. W. 1138, 20
Mylton v. Midland R. Co., 28 L. J. Exch. 385, 1649a
Mynard v. Syracuse, &c., R. Co., 71 N. Y. 180, 1498, 1505, 1545, 1557
Mynning v. Detroit, &c., R. Co., 64 Mich. 93, 1163, 1702
v. Detroit, &c., R. Co., 67 Mich. 677, 1313
Mynning v. Detroit, &c., R. Co., 59 Mich. 257, 1378
Myrick v. Brawley, 33 Minn. 377, 57
v. Michigan Cent. Railroad, 107 U. S. 102, 1432, 1434, 1435, 1438, 1686
v. Michigan Cent. R. Co., 9 Biss. (U. S. C. C.) 44, 1521
Myrtle v. Nevada, &c., R. Co., 137 Fed. 193, 653
Mystic Milling Co. v. Chicago, &c., R. Co., 132 Fed. 289, 655
Mytton v. Midland, &c., R. Co., 4 Hurl. & N. 615, 1441, 1596, 1647
v. Midland R. Co., 28 L. J. Exch. 385, 1647

N.

Naas v. Chicago, &c., R. Co., 96 Minn. 84, 1752
Nadau v. White River, &c., Co., 76 Wis. 120, 1288a
Nading v. Denison, &c., R. Co., 62 S. W. 97, 1057, 1057b
Nagel v. Lindell R. Co., 167 Mo. 89, 981
v. Missouri, &c., R. Co., 75 Mo. 653, 1259, 1703, 1799
Nagle v. Alleghany Valley R. Co., 88 Pa. St. 35, 1261
v. Macy, 9 Cal. 426, 510
Naglee v. Alexander, &c., Ry. Co., 83 Va. 707, 467, 488, 519, 576, 1573
Nahant v. United States, 136 Fed. 273, 950, 951
Najac v. Boston, &c., R. Co., 7 Allen (Mass.), 329, 1596, 1658
Nall v. Louisville, &c., Co., 129 Ind. 260, 211, 1304, 1318
Nalley v. Hartford, &c., R. Co., 51 Conn. 524, 1177, 1349
Nanney v. Morgan, 57 L. T. 48, 96
Nanson v. Jacob, 93 Mo. 331, 1399
v. Jacob, 12 Mo. App. 125, 1399, 1442
Nanticoke, &c., R. Co. v. People's St. R. Co., 212 Pa. St. 395, 1096z, 1096bl
Napa Valley R. Co. v. Napa County, 30 Cal. 435, 824, 843, 863, 874, 877
Nappanee Canning Co. v. Reid Murdock Co., 159 Ind. 614, 278, 604
Narramore v. Cleveland, &c., R. Co., 96 Fed. 298, 1272a, 1288a
Narron v. Wilmington, &c., R. Co., 122 N. Car. 856, 948
Nary v. New York, &c., R. Co., 55 Hun, 612, 1300
Nash v. Dowling, 93 Mo. App. 156, 1295
v. Lowry, 37 Minn. 261, 1077, 1096l
v. McNamara, 145 Fed. 541, 655a, 656a
v. New York, &c., R. Co., 48 Hun, 618, 1154
v. New York, &c., R. Co., 125 N. Y. 715, 1164
v. Page, 80 Ky. 539, 637, 1662c
v. Sullivan, 29 Minn. 206, 797
Nashua's Petition, 12 N. H. 425, 1015
v. Worcester, &c., R. Co., 48 N. H. 339, 303, 1435, 1441, 1445
Nashua, &c., Corp. v. Boston, &c., Corp., 19 Fed. R. 804, 1675
v. Boston, &c., R. Corp., 136 U. S. 356, 649
v. Boston, &c., Co., 27 Fed. R. 821, 235, 236, 266, 354

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Nashua, &c., Corp. v. Boston, &c., 157 Mass. 268, 452
v. Boston, &c., R. Co., 136 U. S. 356, 26, 28, 250, 251, 324, 359, 649
Nashville v. Hagan, 9 Baxter (Tenn.), 495, 1096u
v. Linck, 12 Lea. 499, 1668
Nashville R. Co. v. Howard, 112 Tenn. 107, 1839
v. McConnell, 82 Fed. 66, 728
Nashville St. R. Co. v. Griffin, 104 Tenn. 81, 1096da
Nashville, &c., R. Co. v. Alabama, 128 U. S. 96, 667, 1358e, 1499, 1668
v. Carroll, 6 Heisk. (Tenn.) 347, 213, 1267a, 1635
v. Cowardin, 11 Humph. (Tenn.) 348, 42, 393, 394, 960, 970
v. David, 6 Heisk. (Tenn.) 261, 1393, 1449, 1455
v. Davis, 78 S. W. 1050, 1190
v. Edwards, 91 Ga. 24, 339
v. Elliott, 1 Coldw. (Tenn.) 611, 226, 1288, 1585
v. Erwin (Tenn.), 3 Am. & Eng. R. R. Cases, 465, 221, 1632
v. Estes, 10 Lea, 747, 1458
v. Foster, 10 Lea, 351, 1327, 1828
v. Grayson Nat. Bank, 93 S. W. 431, 1424
v. Hammond (Ala.), 15 So. 935, 938
v. Hammond, 104 Ala. 191, 938, 973
v. Handman, 13 Lea (Tenn.), 423, 1300, 1316
v. Hayes, 99 S. W. 362, 1269, 1308, 1309
v. Heggie, 86 Ga. 210, 1511, 1553, 1554
v. Hembree, 85 Ala. 481, 1204, 1264
v. Higgins, 29 Ky. L. 89, 1761, 1850
v. Hill, 40 So. 612, 656a
v. Hughes, 94 Tenn. 450, 1195
v. Jackson, 6 Heisk. (Tenn.) 271, 1401, 1425, 1500, 1505, 1513a, 1545
v. Johnson, 83 Tenn. 677, 1788
v. Jones, 9 Heisk. 27, 1587
v. Jones, 2 Cold. (Tenn.) 574, 121
v. King, 6 Heisk. 269, 1455
v. McReynolds, 48 S. W. 258, 938
v. Messino, 1 Sneed, 220, 1393, 1573
v. Miller, 120 Ga. 453, 1810, 1816
v. Moore, 41 So. 984, 1689l
v. Norman, 108 Tenn. 324, 1096aq
v. Parker, 27 So. 323, 1751
v. Peacock, 25 Ala. 229, 1190
v. Prince, 2 Heisk. (Tenn.) 580, 1363, 1378b
v. Reagan, 96 Tenn. 128, 1795
v. Smith, 6 Heisk. (Tenn.) 174, 1159, 1374
v. Sprayberry, 9 Heisk. 852, 1435, 1596
v. Starnes, 9 Heisk. (Tenn.) 52, 1264
v. State, 83 Ala. 71, 668, 724
v. State (Tenn.), 34 S. W. 4, 43
v. State, 129 Ala. 142, 5
v. State, 137 Ala. 439, 682, 682a
v. Stone, 112 Tenn. 348, 1432, 1438, 1500, 1502a, 1504, 1516, 1556a, 1557, 1718, 1727, 1736
Nashville, &c., R. Co. v Thomas, 5 Heisk. (Tenn.) 262, 711, 1155, 1206
v. Troxlee, 1 Lea, 520, 1589
v. United States, 113 U. S. 261, 516
v. Wheless, 10 Lea, 741, 1316
Nason v. Woonsocket, &c., R. Co., 4 R. I. 377, 1005
Nassau Bank v. Jones, 95 N. Y. 115, 372
Natal Land, &c., Co. v. Pouline, &c., Syndicate (1904), App. Cas. 120, 14
Natchitoches, &c., R. Co. v. Henry, 109 La. Ann. 669, 1053
Natchez, &c., Co. v. Mullins, 67 Miss. 672, 1376
Natchez, &c., R. Co. v. Lambert, 70 Miss. 779, 329, 330, 746
Nathan v. Giles, 5 Taunt. 558, 1428
v. Tompkins, 82 Ala. 437, 241, 328
Nathan Bros. v. Shivers, 71 Ala. 117, 1571
National Bank v. Atlanta, &c., R. Co., 25 S. Car. 216, 467, 1426, 1427, 1428, 1726
v. Baltimore, &c., R. Co., 99 Md. 661, 1415, 1416, 1426, 1428, 1429, 1494, 1540
v. Carolina, &c., R. R. Co., 63 Fed. R. 25, 528
v. Case, 99 U. S. 628, 92, 251, 869
v. Chicago, &c., R. Co., 44 Minn. 224, 303, 1416, 1419, 1428, 1540
v. Colby, 21 Wall. (U. S.) 609, 612
v. Delaware, &c., R. Co., 70 N. J. L. 774, 1429
v. Drake, 29 Kan. 311, 82
v. Furtick, 2 Marv. (Del.) 35, 624, 627
v. Graham, 100 U. S. 699, 368
v. Gulf, &c., R. Co., 95 Tex. 176, 1065
v. Ins. Co., 104 U. S. 54, 563, 606
v. Kent Circuit Judge, 43 Mich. 292, 540
v. Matthews, 98 U. S. 621, 375, 397, 492
v. Merchants' Bank, 91 U. S. 92, 1427, 1429a
v. Norton, 1 Hill (N. Y.), 572, 268
v. Philadelphia, &c., R. Co., 163 Pa. St. 467, 1523
v. Rochester Trumbler Co., 172 Pa. St. 614, 101
v. Walbridge, 19 Ohio St. 419, 1419
v. Watsontown Bank, 105 U. S. 217, 78, 98
v. Wells, 79 N. Y. 498, 351
v. Whitney, 103 U. S. 99, 375, 397
v. Young, 41 N. J. Eq. 531, 351
National Bank of Chester v. Atlanta, &c., R. Co., 25 S. Car. 216, 1523
National Bank of Jefferson v. Texas Invest. Co., 74 Tex. 421, 279, 600
National Docks, &c., R. Co. v. Central R. Co., 32 N. J. Eq. 755, 1, 18, 53, 919a, 952, 953, 957, 961
v. Pennsylvania R. Co. (N. J.) 30 Atl. 1102, 650, 1125
v. State, 53 N. J. Law, 217, 1116, 1121, 1126
National Exchange Bank v. Hartford, &c., R. R. Co., 8 R. I. 375, 486
v. Sibley, 71 Ga. 726, 279, 282
National Foundry Works v. Oconto, &c., Co., 52 Fed. R. 43, 520

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

National Funds, &c., Co., In re, L. R. 10 Ch. Div. 118, 317, 318
National Hay Ass'n v. Lake Shore, &c., R. Co., 9 I. C. C. 264, 1678a
National Life Ins. Co. v. Mead, 13 S. Dak. 37, 898
National R. Co. v. Easton, &c., R. Co., 36 N. J. L. 181, 1025, 1046a
National Salt Co. v. Ingraham, 122 Fed. 40, 316
National Sec. Bank v. Cushman, 121 Mass. 490, 268
National Steamship Co. v. Tugman, 106 U. S. 118, 654
National Surety Co. v. State, 120 Fed. 593, 621a
National Tel. Co. v. Baker, 62 L. J. Ch. 699, 977
National Trust Co. v. Miller, 33 N. J. Eq. 155, 349, 353, 379
National Tube Works v. Baltimore, &c., R. Co. (Pa.), 8 Atl. 6, 1564, 1566
v. Gilfillan, 124 N. Y. 302, 110
National, &c., Assn. v. Mariposa Co., 60 Barb. (N. Y.) 423, 586
v. Prentice, &c., Co., 49 Minn. 220, 345
National, &c., Bank v. Brainerd, 65 Vt. 291, 626
v. Lackawanna Transp. Co., 59 App. Div. (N. Y.) 270, 1429
v. Porter, 125 Mass. 333, 368
v. Vigo County, &c., Bank, 141 Ind. 352, 220, 345, 537
National Cash, &c., Co. v. Blumenthal, 85 Mich. 464, 1700
National, &c., Co. v. Carlson, 47 Ill. App. 178, 1377
v. Delaware, &c., R. Co., 70 N. J. L. 774, 1525
v. Drew, 32 Eng. Law & Eq. 1, 128
v. Kansas, 28 Fed. R. 921, 1082
v. Kansas City, 65 Fed. 691, 58
v. Oconto City, &c., Co., 105 Wis. 48, 329
v. Rockland Co., 94 Fed. 335, 485
v. Tugman, 106 U. S. 118, 654
National, &c., Steamship Co. v. Smart, 107 Pa. St. 492, 1464
Natoma, &c., Mining Co. v. Clarkin, 14 Cal. 544, 407, 801
Nattress v. Philadelphia, &c., R. Co., 150 Pa. St. 527, 1297, 1315a
Naugatuck R. Co. v. Beardsley S. Co., 33 Conn. 218, 1420
v. Waterbury Button Co., 24 Conn. 468, 1434
Naumburg v. Hyatt, 24 Fed. R. 898, 572
Nave v. Flack, 90 Ind. 205, 466, 1584, 1604
Naylor v. Chicago, &c., R. Co., 53 Wis. 661, 1289
v. Dennie, 8 Pick. (Mass.) 198, 1429, 1539
v. New York, &c., R. Co., 33 Fed. R. 801, 1272, 1289, 1318
Neagle v. Syracuse, &c., R. Co., 185 N. Y. 270, 1268, 1318a
Neal's Appeal, 129 Pa. St. 64, 604
Neal v. Delaware, 103 U. S. 370, 645, 771
v. Chicago, &c., R. Co., 129 Ia. 5, 1689f
v. Hill, 16 Cal. 145, 271
v. Knox, &c., R. Co., 61 Me. 298, 1003, 1025, 1041
Neal v. Ohio River R. Co., 47 W. Va. 316, 1057f
v. Pitts., &c., R. Co., 31 Pa. St. 19, 929, 930, 985, 1027, 1033
v. Pitts., &c., R. Co., 2 Grant's Cas. (Pa.) 137, 930, 1027
v. Posey Co., 12 Ind. App. 533, 1049d
v. Saunderson, 2 Smed. & M. (Miss.) 572, 1455, 1481
v. Wilmington, &c., R. Co., 8 Jones L. (N. Car.) 482, 1463
v. Wilmington, &c., R. Co., 3 Penn. (Del.) 467, 1378a
Neale v. Co. Court, 43 W. Va. 90, 881a
Nealand v. Boston, &c., R. Co., 161 Mass. 67, 1464, 1651, 1652
Nealon v. Grand Trunk R. Co., 42 Hun (N. Y.), 651, 1661
Neall v. Hill, 16 Cal. 145, 73, 282, 538, 551
Neary v. Citizens' R., &c., Co., 110 App. Div. (N. Y.) 769, 1096bo
v. Philadelphia, &c., R. Co., 7 Houst. (Del.) 419, 389
Neave v. Douglas, 26 L. J. Ch. 756, 584
Nebenzahl v. Fargo, 15 Daly (N. Y.), 130, 1524
Nebraska Meal Mills v. Railway Co., 64 Ark. 169, 1523
Nebraska, &c., Bank v. Nebraska, &c., Co., 14 Fed. R. 763, 486, 505
Nebraska, &c., Co. v. Bell, 58 Fed. R. 326, 295, 345
Nebraska, &c., R. Co, v. Storer, 22 Neb. 90, 1053
Needham v. Grand Trunk Ry. Co., 38 Vt. 294, 1364, 1375, 1376
v. San Francisco, &c., R. Co., 37 Cal. 409, 1180, 1204
Neel v. Pennsylvania Co., 157 U. S. 153, 649
Neeley v. Searight, 113 Ind. 316, 1068, 1071
v. Charlotte, &c., R. Co., 33 S. Car. 136, 1206
v. State, 4 Lea (Tenn.), 316, 295
Neenan v. Smith, 50 Mo. 525, 789
Neer v. Williams, 27 Kan. 1, 797
Neff v. Chicago, &c., R. Co., 14 Wis. 370, 1053
Nefzger v. Davenport, &c., R. Co., 36 Iowa, 642, 872, 893
Negley v. Henderson Bridge Co., 107 Ky. 414, 771
Nehrbas v. Central Pac. R. Co., 62 Cal. 320, 1161
Neibles v. Minneapolis, &c., Co., 37 Minn. 151, 216
Neiboer v. Detroit El. R. Co., 128 Mich. 586, 1096cz
Neil v. Board, 31 Ohio St. 15, 16
v. Hill, 1 Wool. (U. S. C. C.) 96, 303
v. Pittsburgh, &c., R. Co., 130 Fed. 204, 1303a
Neilson v. Chicago, &c., R. Co., 58 Wis. 516, 987, 1005
v. Crawford, 52 Cal. 248, 180
v. Hillside, &c., Co., 168 Pa. St. 256, 1283
v. Iowa, &c., R. Co., 44 Iowa, 71, 1072
v. Iowa, &c., R. Co., 51 Ia. 184, 31, 389, 1068, 1069
Neilsville Bank v. Tuttuil, 4 Dak. 295, 368
Neimann v. Detroit, &c., St. R. Co., (Mich.) 61 N. W. 519, 1088
Neimeyer Lumber Co. v. Burlington R. Co., 54 Neb. 321, 1540

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Nein v. La Crosse, &c., R. Co., 92 Fed. 85, 1095
Nelling v. Chicago, &c., R. Co. (Iowa) 63 N. W. 568, 1314
Nellis v. New York, &c., R. Co., 30 N. Y. 505, 1603
Nelson v. Carrington, 4 Munf. (Va.) 332, 945
v. Central, &c., R. Co., 88 Ga. 225, 1297
v. Chesapeake, &c., R. Co., 88 Va. 971, 1366
v. Chicago, &c., R. Co., 73 Iowa, 576, 1344, 1355
v. Chicago, &c., R. Co., 30 Minn. 74, 1207
v. Chicago, &c., R. Co., 110 N. W. 741, 1520
v. Chicago, &c., R. Co., 2 Ill. App. 180, 1536
v. Crescent City R. Co., 49 La. Ann. 491, 1096cl
Nelson v. Duluth, &c., R. Co., 88 Wis. 392, 1166, 1170
v. Fleming, 56 Ind. 310, 1007
v. Galveston, &c., R. Co., 78 Tex. 621, 1368, 1373, 1375
v. Great Northern R. Co., 28 Mont. 297, 1457, 1548a, 1714, 1755
v. Haywood Co., 87 Tenn. 781, 819, 834, 836, 842, 863, 880, 886, 903, 913
v. Hubbard, 96 Ala. 238, 164, 484, 612
v. Hudson R. R. Co., 48 N. Y. 498, 1408, 1417, 1454, 1504, 1507
v. Long Island R. Co., 7 Hun (N. Y.), 140, 1598
v. Luling, 62 N. Y. 645, 275
v. Lake Shore, &c., R. Co., 104 Mich. 582, 1813
v. Metropolitan St. R. Co., 113 Mo. App. 702, 6, 1096cr, 1815, 1820
v. Minneapolis, &c., R. Co. (Minn.) 63 N. W. 486, 1377
v. Minneapolis, &c., Co., 41 Minn. 131, 1181
v. Northern Pac. R. Co., 188 U. S. 109, 799, 809
v. St. Louis, &c., R. Co., 49 Kan. 165, 1181
v. St. Paul, &c., R. Co., 76 Minn. 193, 1179b
v. Southern R. Co., 15 Utah, 325, 1632
v. Stephenson, 12 N. Y. Super. Ct. 538, 1709
v. Vermont, &c., R. Co., 26 Vt. 717, 44, 430, 473, 477, 668, 670b, 1063, 1198
v. West Duluth, 55 Minn. 497, 1036b
v. Woodruff, 1 Black, 156, 1420, 1481, 1516
Nemorofskie v. Interurban, &c., Co., 87 N. Y. S. 463, 1822
Nenney v. Waddill, 6 Tex. Civ. App. 244, 178
Nervis v. Chicago, &c., R. Co., 124 Wis. 313, 1497
Nesbit v. Garner, 76 Iowa, 314, 1178
v. Riverside Independent Dist., 144 U. S. 610, 485
v. Gainer, 75 Iowa, 314, 1174
Nesbitt v. Louisville, &c., R. Co., 2 Spears (S. Car.), 697, 1060
Nesbitt v. Lushington, 4 T. R. 783, 1458
Neslie v. Second, &c., R. Co., 113 Pa. St. 300, 1096cp, 1096cz, 1587, 1639
Nesmith v. Sheddon, 7 How. (U. S.) 812, 768
v. Washington Bank, 6 Pick. (Mass.) 324, 101
Neston Colliery Co. v. London, &c., R. Co., 4 R. Canal Tr. Cas. 257, 1566
Nette v. New York, &c., R. Co., 2 Misc. (N. Y.) 62, 1049e
Nettles v. South Carolina R. Co., 7 Rich. Law, 190, 1482, 1710, 1730
Neubacher v. Indianapolis, &c., R. Co., 134 Ind. 25, 1702
Neuer v. O'Fallon, 18 Mo. 277, 626
Neufelder v. German American Ins. Co., 6 Wash. 336, 624, 627
Neuse, &c., Co. v. Commissioners, 6 Jones (N. Car.), 204, 110
Neutz v. Jackson, &c., R. Co., 139 Ind. 411, 1279
Nevada, City of, v. Eddy, 123 Mo. 546, 784, 785
v. Gilfillan, 123 Mo. 546, 785
Nevada, &c., R. Co. v. DeLissa, 103 Mo. 125, 1038
Nevin v. Pullman, &c., Co., 106 Ill. 222, 1617, 1620, 1640, 1693
Nevins v. Bay State S. Co., 4 Bosw. (N. Y.) 225, 1647, 1661
New v. Walker, 108 Ind. 365, 1670
New Albany v. Burke, 11 Wall. (U. S.) 96, 176, 177, 618
v. Endres, 143 Ind. 192, 1049e
v. McCulloch, 127 Ind. 500, 781
New Albany, &c., R. Co. v. Connelly, 7 Ind. 32, 1050
v. Fields, 10 Ind. 187, 109, 112, 114
v. Grooms, 9 Ind. 243, 621
v. Haskell, 11 Ind. 301, 24, 297
v. Huff, 19 Ind. 444, 389
v. McCormick, 10 Ind. 499, 78, 113, 116, 140
v. Maiden, 12 Ind. 10, 670b, 1190, 1210
v. Pace, 13 Ind. 411, 1198
v. Pickens, 5 Ind. 247, 143
v. Tilton, 12 Ind. 3, 44, 621, 668, 670b, 1186
Newark, &c., R. Co. v. Block, 55 N. J. L. 605, 1088, 1096c, 1096bq, 1096ce, 1096cj, 1166a
v. Newark, 23 N. J. Eq. 515, 974
Newark, &c., Traction Co. v. North Arlington, 65 N. J. L. 150, 31
Newaygo, &c., Co. v. Chicago, &c., R. Co., 64 Mich. 114, 419
Newbecker v. Susquehanna R. Co., Pears. (Pa.) 57, 1017
New Bedford, &c., R. Co. v. Aclushnet St. R. Co., 143 Mass. 200, 1084, 1096au
v. Old Colony R. Co., 120 Mass. 397, 334, 338, 526
Newberry v. Arkansas, &c., R. Co., 52 Kan. 613, 623
v. Furnival, 56 N. Y. 638, 1017
v. Robinson, 7 Ry. & Corp. L. J. 396, 180
Newbold v. Peoria, &c., R. Co., 5 Ill. App. 367, 589, 591, 594
New Boston's Petition, 49 N. H. 328, 1015
New Brighton, &c., R. Co. v. Pittsburgh, &c., R. Co., 105 Pa. St. 13, 921, 922, 927, 957

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

New Brunswick, &c., R. Co., In re, 17 New Brunswick (1 P. & B.), 667, 638
New Brunswick, &c., R. Co. v. Armstrong, 23 N. B. 193, 1214
v. Conybeare, 9 H. L. Cas. 711, 127, 128, 282
v. Muggeridge, 1 Dr. & Sm. 363, 13a, 127, 130
v. Muggeridge, 4 H. & N. 160, 103, 108
v. Robinson, 11 Sup. Ct. of Can. 689, 1224
v. Tiers, 24 N. J. Law, 697, 1455
New Buffalo v. Iron Co., 105 U. S. 73, 325, 886
Newburgh Petroleum, &c., Co. v. Weare, 27 Ohio St. 343, 22
Newburger v. Howard, &c., Ex., 6 Phila. 174, 1454, 1510
Newbury v. Gatchel, &c., Co., 100 Ia. 441, 1318, 1318a
Newburyport, &c., Co. v. Eastern R. R. Co., 23 Pick. (Mass.) 326, 2, 33, 1391
Newby v. Chicago, &c., R. Co., 19 Mo. App. 391, 1550, 1552
v. Platte County, 25 Mo. 258, 960
v. Van Oppen, L. R. 7 Q. B. 293, 621
v. Wiltshire, 2 Esp. 739, 223
Newcastle v. Lake Erie, &c., R. Co., 155 Ind. 18, 400, 948, 948a, 949, 1076, 1082
New Castle, &c., Marine Ins. Co., In re, 19 Beav. 97, 259
Newcastle, &c., R. Co. v. Bell, 8 Blackf. (Ind.) 584, 111
v. Peru, &c., R. Co., 3 Ind. 464, 32, 74, 919, 922, 1116
v. Simpson, 21 Fed. R. 533, 89
v. Simpson, 23 Fed. R. 214, 369
v. Simpson, 26 Fed. R. 133, 1066
New Cent., &c., Co. v. George's, &c., Coal Co., 37 Md. 537, 923, 952, 954, 961, 970, 971, 973, 1049
New Chile, &c., Co., In re, 63 L. T. R. 344, 154
Newcomb, In re, 18 N. Y. Supp. 16, 241, 244
Newcomb v. Boston, &c., R. Co., 115 Mass. 230, 1429a, 1430
v. New York, &c., R. Co., 182 Mo. 687, 1641, 1841, 1844, 1845
v. Norfolk, &c., St. R. Co., 179 Mass. 449, 1096p
v. Smith, 1 Chandler (Wis.), 71, 950, 1012
Newell v. Cowan, 30 Miss. 492, 1359
v. Fisher, 24 Miss. 392, 568
v. Great Western R. Co., 19 Mich. 336, 621
v. Hoadly, 8 Conn. 381, 1483
v. Minneapolis, &c., R. R. Co., 35 Minn. 112, 4, 6, 1077, 1088, 1096be, 1096d
v. Smith, 49 Vt. 255, 212, 573, 576, 577, 1434, 1501, 1730
v. Williston, 138 Mass. 240, 98
New England Express Co. v. Maine Central R. Co., 57 Me. 188, 384, 388, 1395, 1454, 1465, 1467, 1560, 1565
New England R. Co. v. Conroy, 175 U. S. 323, 1316, 1330, 1333
New England Trust Co. v. Abbott, 162 Mass. 148, 92
v. Eaton, 140 Mass. 532, 307
New England, &c., Bank v. Newport Steam Factory, 6 R. I. 154, 179
New England, &c., Ins. Co. v. Phillips, 141 Mass. 535, 95
v. Baxley (S. Car.), 21 S. E. 444, 210
v. Oakwood St. R. Co., 75 Fed. 162, 6
v. Starin, 60 Conn. 369, 1403, 1695
New England, &c., R. Co. v. Baltimore, &c., R. Co., 11 Md. 81, 1069
Newfoundland, &c., Co. v. Schack, 40 N. J. Eq. 222, 544, 609
Newgass v. St. Louis, &c., R. Co., 54 Ark. 140, 996, 997
Newhall v. Central Pac. R. Co., 51 Cal. 345, 1526, 1539, 1541
v. Galena, &c., R. Co., 14 Ill. 273, 42, 923, 960
v. Sanger, 92 U. S. 761, 803
v. Vargas, 13 Me. 93, 1540
New Hamburgh, &c., R. Co., In re, 76 Hun (N. Y.), 76, 920a
New Hampshire Sav. Bank v. Richey, 121 Fed. 956, 309
New Hampshire, &c., R. Co. v. Johnson, 30 N. H. 390, 78, 111, 112, 149, 150, 157
New Hampshire, &c., Co. v. Tilton, 19 Fed. R. 73, 398
Newhard v. Pennsylvania, &c., R. Co., 153 Pa. 417, 1153, 1160
New Haven v. City Bank, 31 Conn. 106, 76
v. Fair Haven, &c., R. Co., 38 Conn. 422, 787a, 871, 1092, 1096aj
New Haven Nail Co. v. Linden Spring Co., 142 Mass. 349, 110
New Haven Wire Company Cases, 57 Conn. 352, 378
New Haven, &c., R. Co. v. Chapman, 38 Conn. 56, 252
v. Chatham, 42 Conn. 465, 850, 897, 903
v. Hammersely, 104 U. S. 1, 687
v. State, 44 Conn. 376, 458, 641
New Haven, &c., Co. v. Campbell, 128 Mass. 104, 1572
v. Hayden, 107 Mass. 525, 256
New Jersey v. Wilson, 7 Cranch (U. S.), 164, 746, 770, 1096o
v. Yard, 95 U. S. 104, 56, 60, 613
New Jersey Cent. R. Co.'s Appeal, 102 Pa. St. 38, 1023
New Jersey Cent. R. Co. v. Hetfield, 29 N. J. L. 206, 1049c
New Jersey Exp. Co. v. Nichols, 32 N. J. L. 166, 1814
New Jersey R. & T. Co. v. Pennsylvania R. Co., 3 Dutch (N. J.), 100, 1422
New Jersey Steamboat Co. v. Brockett, 121 U. S. 637, 1589, 1637, 1638, 1846
New Jersey, &c., Navigation Co. v. Merchants' Bank, 6 How. (U. S.) 344, 1401, 1454, 1465, 1478, 1496, 1500, 1501, 1534, 1691, 1692
New Jersey, &c., R. Co. v. Kennard, 21 Pa. St. 203, 1478
v. Long Branch Comrs., 39 N. J. L. 28, 32, 52, 632, 966, 1104, 1116, 1121
v. Pennsylvania R. Co., 27 N. J. Law, 100, 1394, 1397

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

New Jersey, &c., R. Co. v. Strait, 35 N. J. L. 322, 133, 142, 145
v. Suydam, 17 N. J. Law, 25, 1039, 1041, 1044, 1054
v. Tutt, 80 N. E. 420, 1057g
v. Van Syckle, 37 N. J. Law, 496, 400, 949
v. Wortendyke, 27 N. J. Eq. 658, 500
v. Young, 49 Fed. R. 723, 1282, 1295, 1297
v. Young, 1 C. C. A. 428, 1333b
New Jersey, &c., Co. v. Brockett, 121 U. S. 637, 1096dc
v. Mayor, 42 N. J. L. 97, 785
v. Morris, &c., Co., 44 N. J. Eq. 398, 972, 1010
New Kentucky, &c., R. Co. v. Albani, 12 Ind. App. 497, 1311
Newland v. Northern Pac. R. Co., 4 Interstate Com. 205, 1566
Newlin v. Iowa Central R. Co., 127 Ia. 654, 1628
New London v. Brainard, 23 Conn. 522, 340
v. Brocklebank, L. R. 21 Ch. Div. 302, 100
Newman, Ex parte, 9 Cal. 502, 1668
Newman v. Chicago, &c., R. Co., 80 Iowa, 672, 1374
v. City, 32 Kan. 456, 783
v. Davenport, 9 Baxter (Tenn.), 538, 579
v. Hammond, 46 Ind. 119, 559
v. Metropolitan, &c., R. Co., 118 N. Y. 618, 987
v. Mills, 1 Hog. (Irish Rolls) 291, 586
v. Phillipsburg, &c., R. Co., 52 N. J. L. 446, 1262
v. Phillipsburgh, &c., R. Co., 8 L. R. A. 842, 1259
v. Schwerin, 61 Fed. R. 865, 655
v. Smoker, 25 La. Ann. 303, 1417
v. Third Ave. R. Co., 50 N. Y. Super. Ct. 142, 1699
v. Vicksburg, &c., R. Co., 64 Miss. 115, 1096bn
New Memphis, &c., R. Co. v. New Memphis, 72 Fed. 952, 1684d
New Mexico v. Baker, 196 U. S. 432, 624
v. Denver, &c., R. Co., 27 Sup. Ct. 1, 662, 1358d, 1663, 1668, 1669
v. United States, 172 U. S. 171, 972
New Milford Water Co. v. Watson, 75 Conn. 237, 1029a, 1035a
New Orleans Praying for Opening of Streets, 20 La. Ann. 497, 782
New Orleans v. Clark, 95 U. S. 644, 824
v. Guillotte, 12 La. Ann. 818, 1096t
v. Kaufman, 29 La. Ann. 283, 741
v. New Orleans, &c., R. Co., 40 La. Ann. 587, 1096p, 1096ag
v. Poutz, 14 La. Ann. 853, 843
v. Wire, 20 La. Ann. 500, 789
New Orleans Gas Light Co. v. Louisiana, &c., Co., 11 Fed. 277, 335a
v. Louisiana, &c., Co., 115 U. S. 650, 335a, 671, 968, 1082, 1096o, 1096s, 1668
New Orleans Term. Co. v. Teller, 113 La. Ann. 733, 615, 652
New Orleans, &c., Co. v. Briggs, 27 La. Ann. 318, 150
v. Brown, 36 La. Ann. 138, 276
v. Burke, 53 Miss. 200, 200, 1591, 1637, 1639
New Orleans, &c., Co. v. Harris, 27 Miss. 517, 43, 45, 161, 163, 488
v. Louisiana, &c., Co., 125 U. S. 18, 768
New Orleans, &c., Exchange v. Cincinnati, &c., R. Co., 2 Interst. Com. 289, 1671, 1684y
v. Illinois Cent. R. Co., 3 Interst. Com. C. 534, 1682, 1684
v. Illinois Cent. R. Co., 2 Int. Com. 777, 1684g
v. Louisville, &c., R. Co., 3 Int. Com. 523, 1684i
v. Texas, &c., R., 10 I. C. C. 331, 1684c
New Orleans, &c., Ins. Co. v. New Orleans, &c., R. Co., 20 La. Ann. 302, 1505, 1508
New Orleans, &c., R. Co. v. Allbritton, 38 Miss. 242, 1635
v. Bailey, 40 Miss. 395, 1248
v. Barton, 43 La. Ann. 171, 996, 1036b
v. Bougere, 23 La. Ann. 803, 1034
v. Bourgeois, 66 Miss. 3, 1096bn, 1204, 1223
v. Brown, 64 Miss. 479, 1049, 1057
v. Crescent City R. Co., 12 Fed. 308, 1083, 1096s, 1096t
v. Delamore, 114 U. S. 508, 29, 59, 67, 72, 75, 488, 490, 521, 525, 531, 1087, 1096ad
v. Drake, 60 Miss. 621, 1012
v. Dunn, 51 Ala. 128, 827, 872, 893
v. Ellerman, 105 U. S. 166, 378
v. Enochs, 42 Miss. 603, 1185, 1214
v. Faler, 58 Miss. 911, 1463, 1500
v. Field, 46 Miss. 573, 1180, 1181, 1204
v. Frank, 39 La. Ann. 707, 18, 1042
v. Frederic, 46 Miss. 1, 1020, 1023, 1025
v. Gay, 32 La. Ann. 471, 972, 973
v. George, 82 Miss. 710, 1567a
v. Hanning, 15 Wall. 649, 1063, 1250
v. Harris, 27 Miss. 517, 43
v. Harrison, 48 Miss. 112, 213, 1265, 1305
v. Hemphill, 35 Miss. 17, 1017, 1018, 1019, 1025
v. Hughes, 49 Miss. 258, 1300
v. Hurst, 36 Miss. 660, 1527, 1693, 1694, 1802
v. Jones, 68 Ala. 48, 1049, 1052
v. Jopes, 142 U. S. 18, 1589, 1638
v. Lagarde, 10 La. Ann. 150, 987, 995, 1050, 1051
v. Lampkin, 78 Miss. 502, 1444
v. McNeely, 47 La. Ann. 1298, 1028
v. Mississippi, 102 U. S. 135, 652, 654
v. Mississippi, 112 U. S. 12, 638, 699
v. Mississippi College, 47 Miss. 560, 487
v. Moore, 40 Miss. 39, 1647, 1660, 1662a
v. Moye, 39 Miss. 374, 949, 987, 988
v. Murrel, 36 La. Ann. 344, 988
v. Murrell, 34 La. Ann. 536, 982, 1042
v. New Orleans, 44 La. Ann. 748, 903, 922, 1077, 1096l
v. New Orleans, &c., Co., 20 La. Ann. 302, 1498, 1516
v. New Orleans, 143 U. S. 192, 746

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

New Orleans, &c., R. Co. v. Norwood, 62 Miss. 565, 1063
v. Parker, 143 U. S. 42, 495, 497, 509, 515, 529, 549
v. Reese, 61 Miss. 581, 1063
v. Schneider, 60 Fed. R. 210, 1633
v. Second Municipality of New Orleans, 1 La. Ann. 128, 41, 929, 971, 1076
v. Southern & A. T. Co., 53 Ala. 211, 32, 968
v. State, 112 U. S. 12, 608
v. Statham, 42 Miss. 607, 1628, 1628a, 1801, 1802
v. Toulme, 59 Miss. 284, 1160
v. Tyson, 46 Miss. 729, 1518, 1730, 1732
v. United States, 124 U. S. 124, 794
v. Waltsins, 48 La. Ann. 1550, 1096k
v. Williams, 16 La. Ann. 315, 129
v. Zeringue, 23 La. Ann. 521, 1041
New Pittsburg, &c., Co. v. Peterson, 136 Ind. 398, 1316, 1317, 1318a, 1329, 1768
Newport v. South Covington, &c., R. Co., 89 Ky. 29, 1081, 1096p, 1096ag
Newport Highway, 48 N. H. 433, 1044
Newport News Pub. Co. v. Beaumeister, 102 Va. 677, 1313
Newport News, &c., Electric Co. v. Lake, 54 S. E. 3, 328, 985
Newport News, &c., R. Co. v. Deuser, 97 Ky. 92, 1849
v. Hampton Roads, &c., Co., 102 Va. 795, 1096bj
v. Hazelip (Ky.), 34 S. W. 904, 1204
v. McCormick, 56 S. E. 281, 1628
v. Mendell (Ky.), 34 S. W. 1081, 1412, 1443
v. Mercer, 96 Ky. 475, 303, 1473, 1547, 1551, 1555, 1729, 1731
v. Mitchell (Ky.), 33 S. W. 622, 1204
Newport News, &c., Co. v. Carroll (Ky.), 31 S. W. 132, 1699
v. United States, 61 Fed. R. 488, 726, 1554
v. Wooley, 78 Ky. 523, 26, 28
Newport, &c., Turnpike Co. v. Pirmann, 26 Ky. L. 933, 1771
New Providence v. Halsey, 117 U. S. 336, 351, 897, 898, 916, 918
Newry & Enniskillen R. Co. v. Edmunds, 2 Ex. 118, 134
Newson v. Thornton, 6 East, 17, 1429
v. New York, &c., R. Co., 29 N. Y. 383, 1171, 1248
New Sombrero Phosphate Co. v. Erlanger, L. R. 5 Ch. Div. 73, 13
Newstadt v. Adams, 5 Duer. (N. Y.), 43, 1560
New State House, In re, Condemnation for (R. I.), 33 Atl. 523, 1036
Newton v. Carbery, 5 Cranch C. C. (U. S.) 632, 17
v. Chicago, &c., R. Co., 66 Iowa, 422, 1111
v. N. Y., &c., R. Co., 56 Conn. 21, 715
v. New York, &c., R. Co., 72 Conn. 420, 1391
v. New York, &c., R. Co., 106 App. Div. (N. Y.) 415, 1817
Newton v. Railroad Co. 66 Ia. 442, 1109
Newton National Bank v. Newbegin, 74 Fed. 135, 132
Newton, &c., Co. v. White, 42 Ga. 148, 168, 606
New York v. Bailey, 2 Denio (N. Y.), 433, 953
v. Barker, 179 U. S. 279, 772a
v. Cook, 148 U. S. 409, 746
v. Dry Docks, &c., R. Co., 133 N. Y. 104, 1082
v. Harlem, &c., R. Co., 186 N. Y. 304, 1092
v. Knight, 192 U. S. 21, 759
v. Maine Cent. R. Co., 84 Mo. 117, 1162
v. Miln, 11 Pet. 102, 1671
v. New York, &c., R. Co., 19 N. Y. Supp. 67, 1092
v. Pine, 185 U. S. 93, 949
v. Reardon, 27 Sup. Ct. 184, 754
v. Second Ave. R. Co., 102 N. Y. 572, 945, 1092
v. Twenty-third Street R. Co., 113 N. Y. 311, 43, 59, 468
New York Board of Trade v. Pennsylvania Co., 3 Int. C. C. 417, 1678a
New York Cable Co. v. Mayer, 104 N. Y. 1, 36, 1096j
New York City v. Second Ave. R. Co., 102 N. Y. 572, 1096aj
New York Dist. R. Co., Matter of, 107 N. Y. 42, 1096a
New York Central, &c., R. Co., In re, 15 Hun (N. Y.), 63, 996
New York Cent., &c., R. Co., Matter of, 77 N. Y. 248, 965a, 973
New York Cent., &c., R. Co. v. Board, 65 Atl. 860, 1671
New York Elec. R. Co., In re, 70 N. Y. 327, 1010
New York Ex. Co. v. DeWolf, 31 N. Y. 273, 116, 129
New York Guaranty, &c., Co. v. Memphis, &c., Co., 107 U. S. 205, 510
New York Produce Exchange v. New York Cent., &c., R. Co., 2 Interst. Com. 553, 1682
New York Sec. Co. v. Louisville, &c., R. Co., 102 Fed. 382, 497
New York Security, &c., Co. v. Saratoga, &c., Co., 34 N. Y. Supp. 890, 506
New York State, &c., Co. v. Heimer, 77 N. Y. 64, 369
New York Street, &c., Re, 133 N. Y. 329, 964
New York, &c., Bridge, Matter of, 137 N. Y. 95, 1006
New York, &c., Canal Co. v. Fulton Bank, 7 Wend. (N. Y.) 412, 322
New York, &c., Dock v. Hicks, 5 McLean, 111, 398
New York, &c., R. Co., In re, 1 How. Pr. (N. Y.) N. S. 190, 1031
New York, &c., R. Co., Matter of, 5 Hun (N. Y.), 86, 1029
New York, &c., R. Co., In re, 5 Hun, 105, 1041, 1046
New York, &c., R. Co., In re, 6 Hun (N. Y.), 149, 992, 994
New York, &c., R. Co., In re, 8 N. Y. Supp. 290, 954
New York, &c., R. Co., In re, 15 Hun (N. Y.), 63, 996, 1039
New York, &c., R. Co., Matter of, 21 How. (N. Y.) Pr. 434, 1041

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

New York, &c., R. Co., In re, 26 Hun, 194, 1026
New York, &c., R. Co., In re, 27 Hun, 116, 994, 1036, 1042
New York, &c., R. Co., Matter of, 29 Hun, 609, 1038
New York, &c., R. Co., In re, 29 Hun (N. Y.), 269, 965, 1023
New York, &c., R. Co., In re, 33 Hun (N. Y.), 639, 1041, 1046
New York, &c., R. Co., Matter of, 33 Hun (N. Y.), 231, 1036
New York, &c., R. Co., Matter of, 33 Hun (N. Y.), 631, 1041
New York, &c., R. Co., In re, 33 Hun, 148, 1028, 1035, 1040
New York, &c., R. Co., In re, 33 N. Y. Supp. 726, 612
New York, &c., R. Co., Matter of, 35 Hun (N. Y.), 260, 1039
New York, &c., R. Co., Matter of, 35 Hun (N. Y.), 232, 1041
New York, &c., R. Co., Matter of, 35 Hun (N. Y.), 306, 1045
New York, &c., R. Co., In re, 35 Hun (N. Y.), 220, 107, 190, 958
New York, &c., R. Co., In re, 36 Hun (N. Y.), 427, 1085
New York, &c., R. Co., Matter of, 44 Hun (N. Y.), 194, 963
New York, &c., R. Co., In re, 46 N. Y. 546, 392
New York, &c., R. Co., In re, 49 N. Y. 414, 461, 471, 477
New York, &c., R. Co.'s Appeal, 58 Conn. 532, 671, 975
New York, &c., R. Co., In re, 59 Hun, 7, 962
New York, &c., R. Co., Matter of, 60 N. Y. 116, 1050
New York, &c., R. Co., In re, 61 Hun, 625, 1042
New York, &c., R. Co.'s Appeal, 62 Conn. 527, 682, 1109
New York, &c., R. Co., Matter of, 62 Barb. (N. Y.) 85, 1020, 1027, 1028
New York, &c., R. Co., Matter of, 63 How. (N. Y.) Pr. 265, 1039
New York, &c., R. Co., In re, 63 How. Pr. 123, 1010
New York, &c., R. Co., In re, 63 Hun, 629, 958
New York, &c., R. Co., In re, 63 N. Y. 326, 960
New York, &c., R. Co., In re, 64 N. Y. 60, 1041, 1045
New York, &c., R. Co., In re, 66 N. Y. 407, 42, 970
New York, &c., R. Co., In re, 67 Barb. (N. Y.) 426, 960, 962, 971
New York, &c., R. Co., In re, 70 N. Y. 191, 1029
New York, &c., R. Co., In re, 70 N. Y. 327, 43, 52, 55, 56, 606
New York, &c., R. Co., In re, 77 N. Y. 248, 393, 923, 954, 960, 962, 965, 1104
New York, &c., R. Co., In re, 88 N. Y. 279, 929, 930
New York, &c., R. Co., In re, 90 N. Y. 342, 1029
New York, &c., R. Co., Matter of, 93 N. Y. 385, 1039, 1041, 1045
New York, &c., R. Co., Matter of, 98 N. Y. 12, 1050, 1051
New York, Matter of Application of Mayor, 99 N. Y. 569, 1014
New York, &c., R. Co., Matter of, 99 N. Y. 388, 930
New York, &c., R. Co., In re, 99 N. Y. 12, 107, 922, 958, 964
New York, &c., R. Co., In re, 107 N. Y. 42, 6, 7
New York, &c., R. Co., In re, 137 N. Y. 95, 1003
New York, &c., R. Co. v. Ball, 53 N. J. L. 283, 1631
v. Baltz, 141 Ind. 661, 1224, 1245
v. Bennett, 50 Fed. R. 496, 1594, 1594a, 1637
v. Blacker, 178 Mass. 386, 980
v. Blackstone, 184 Mass. 491, 996c
v. Blumenthal, 160 Ill. 40, 1605, 1606
v. Boston, &c., R. Co., 36 Conn. 196, 57, 74, 922, 931, 962, 963, 964, 966, 1119
v. Bridgeport Traction Co., 65 Conn. 410, 44, 977, 1096bp, 1135
v. Bristol, 151 U. S. 556, 44, 663, 668, 671, 770, 975, 1082, 1109
v. Bristol, 62 Conn. 527, 1102
v. Burns, 51 N. J. L. 340, 1645
v. Central Union Tel. Co., 21 Hun (N. Y.), 261, 4
v. Church, 31 Hun (N. Y.), 440, 1046
v. Cooper, 85 Va. 939, 1178
v. Commonwealth, 7 R. R. & Corp. L. J. 14, 30
v. Coulbourn, 69 Md. 360, 1628
v. Cromwell, 98 Va. 227, 1474, 1475
v. Difendaffer, 125 Fed. 893, 1625a
v. Dixon, 114 N. Y. 80, 294
v. Doane, 115 Ind. 435, 1582, 1628
v. Drommond, 46 N. J. L. 644, 1098
v. Drury, 133 Mass. 167, 1000
v. Enches, 127 Pa. St. 316, 1628
v. Erie R. Co., 31 App. Div. (N. Y.) 378, 1056b
v. Estill, 147 U. S. 591, 1437, 1546, 1548, 1727, 1730, 1733, 1750
v. Feely, 163 Mass. 205, 1593, 1594a, 1598
v. Fifth National Bank, 135 U. S. 432, 7, 1085
v. Flynn, 74 Hun, 124, 1678
v. Forty Sec. St. R. Co., 50 Barb. N. Y. 309, 1096b
v. Forty-second St. R. Co., 50 Barb. (N. Y.) 285, 968
v. Fremont, &c., R. Co., 66 Neb. 159, 621a
v. Godwin, 12 Abb. Pr. (N. S.) 21, 1027
v. Grand Rapids, &c., R. Co., 116 Ind. 60, 1129, 1130, 1132, 1133
v. Green (Tex. Civ. App.), 36 S. W. 812, 1697
v. Gunnison, 1 Hun (N. Y.), 496, 393, 960
v. Hackett (N. J.), 32 Atl. R. 265, 1114, 1158
v. Hamlet Hay Co., 149 Ind. 344, 937, 1057g
v. Haring, 47 N. J. L. 137, 1637
v. Hunt, 39 Conn. 75, 106, 111
v. Hyde, 56 Fed. 188, 1326
v. Interstate Com. Com., 200 U. S. 361, 1662c, 1679, 1684i, 1688a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

New York, &c., R. Co. v. Kellam, 83 Va. 851, 1163, 1166
v. Kelly, 93 Fed. 745, 1175, 1257
v. Ketchum, 27 Conn. 170, 14, 272
v. Kip, 46 N. Y. 546, 390, 392, 393, 394, 415, 629, 954, 960, 972, 1104
v. Kistler, 66 Ohio St. 326, 1159, 1160, 1161
v. LeFevere, 27 Hun, 537, 990
v. Long, 69 Conn. 424, 1096bm
v. Mayor, 1 Hilt, N. Y. C. P. 562, 1096s
v. Metropolitan, &c., Co., 63 N. Y. 574, 973
v. Metropolitan Gas Light Co., 5 Hun (N. Y.), 201, 954, 960, 964
v. Metropolitan Gas Light Co., 63 N. Y. 326, 922, 923, 970
v. Miller, 202 U. S. 584, 755, 759
v. Mushrush, 11 Ind. App. 192, 1256, 1578
v. National, &c., Co., 137 N. Y. 23, 1451, 1452
v. New Britain, 49 Conn. 40, 785
v. New Haven, 42 Conn. 279, 782
v. New Jersey, &c., R. Co., 60 N. J. L. 52, 1096ck
v. New York, 165 U. S. 631, 1358e
v. New York, &c., R. Co., 58 Fed. R. 268, 555, 561, 567, 570, 582
v. New York, &c., R. Co., 52 Conn. 274, 52, 322a, 519, 629, 926, 1045, 1046a
v. New York, &c., R. Co., 11 Abb. (N. Y.) N. C. 386, 926
v. New York, &c., R. Co., 50 Fed. R. 867, 1685
v. New York, 1 Hilton (N. Y.), 562, 349
v. Nickals, 119 U. S. 296, 81, 83, 316
v. O'Brien, 100 N. Y. 316, 628
v. Offield, 77 Conn. 417, 101a, 325a, 963
v. O'Leary, 93 Fed. 737, 1288
v. Ostman, 146 Ind. 452, 1269
v. Pennsylvania, 158 U. S. 431, 759, 765, 1669
v. Pennsylvania, 153 U. S. 628, 30, 769
v. Pennsylvania R., 3 Int. Com. 417, 1684l
v. Perriguey, 138 Ind. 414, 1300, 1301, 1306
v. Platt, 7 Int. Com. 323, 1684l
v. Powers, 98 N. Y. 274, 1312
v. Providence, 16 R. I. 746, 939
v. Purdy, 18 Barb. (N. Y.) 574, 621
v. Railroad Co., 50 Barb. (N. Y.) 285, 1096ac
v. Railroad Commissioners, 162 Mass. 81, 937, 1138, 1142
v. Randel, 47 N. J. L. 144, 1156
v. Robbins, 76 N. E. 804, 1179a, 1689d, 1689l, 1703
v. Sabin, 26 Pa. St. 242, 744, 750
v. Sanders, 134 Mass. 53, 1572
v. Sayles, 87 Fed. 444, 1501
v. Schyler, 38 Barb. N. Y. 534, 89
v. Schuyler, 34 N. Y. 30, 80, 87, 97, 98, 203, 213
v. Seiberling Co., 8 O. C. C. 593, 1502a
v. Shepard, 5 McLean (U. S.), 455, 24
v. Smith, 20 R. I. 134, 224
v. Speelman, 12 Ind. App. 372, 1057f
New York, &c., R. Co. v. Squire, 145 U. S. 175, 777
v. Standard Oil Co., 87 N. Y. 486, 1522, 1558, 1562
v. Stanley, 34 N. J. Eq. 55, 941, 944, 949, 985, 996, 1049
v. State, 50 N. J. L. 303, 532, 1111
v. Steinbrenner, 47 N. J. L. 161, 1174, 1178
v. Thomas, 92 Va. 606, 1226
v. Townsend, 36 Hun (N. Y.), 630, 1017, 1046, 1053
v. Trimmer, 53 N. J. L. 1, 972
v. Van Horn, 57 N. Y. 473, 106, 1360
v. Waterbury, 60 Conn. 1, 671, 770
v. Waterbury, 55 Conn. 19, 1109
v. Welsh, 69 Hun, 619, 962
v. Welsh, 143 N. Y. 411, 956
v. Winans, 17 How. (U. S.) 30, 359, 384, 519, 1237
v. Winter's Admr., 143 U. S. 60, 200a, 302, 1576, 1593, 1594, 1594a, 1595, 1620, 1637
v. Young, 33 Pa. St. 175, 954, 956, 976
New York, &c., Tel. Co. v. Jewett, 115 N. Y. 166, 587
New York, &c., Co. v. Bates, 68 Md. 184, 213
v. Ely, 2 Cow. 678, 235
v. Morisania, 7 Hun, 652, 786
v. New Haven, 42 Conn. 279, 785, 786
v. New York, 104 N. Y. 1, 957
v. Parrott, 36 Fed. R. 462, 164
v. People, 12 Hun, 195, 920
v. Smith, 148 N. Y. 540, 607
Newell v. Minneapolis, &c., Co., 35 Minn. 112, 6, 1096d, 1096be
Ney v. Dubuque, &c., R. Co., 20 Iowa, 347, 1061
v. Swinney, 36 Ind. 454, 1027
Niagara, Propeller v. Cordes, 21 How. 7, 1455, 1486
Niagara Falls, &c., R. R. Co., In re, 108 N. Y. 375, 33, 952a, 952c, 960, 1027
Niagara, &c., R. Co., In re, 121 N. Y. 319, 1008
Niagara, &c., Power Co., In re, 111 App. Div. (N. Y.) 686, 952a.
Niblock v. Alexander, 44 Fed. R. 306, 651
Nichol v. Henry, 89 Ind. 54, 510
v. Mayor, &c., 9 Humph. (Tenn.) 251, 834, 847, 875
Nicholas v. Burlington, &c., R. Co., 78 Minn. 43, 1365, 1366
v. Chicago, &c., R. Co., 60 Minn. 319, 1355
v. New York, &c., R. Co., 89 N. Y. 370, 1498, 1505, 1627
v. Oliver, 36 N. H. 218, 210
v. Sutton, 22 Ga. 369, 1049
Nicholaus v. Chicago, &c., R. Co., 90 Iowa, 85, 1296
Nicholds v. Chrystal, &c., R. Co., 126 Mo. 55, 1278
Nichols v. Ann Arbor, &c., R. Co., 87 Mich. 361, 6, 1088, 1089, 1096c, 1096d, 1096be, 1096bh, 1096bt
v. Baltimore, &c., R. Co., 33 Ind. App. 229, 1163
v. Bridgeport, 23 Conn. 189, 789
v. Burlington, &c., Co., 4 Greene (Iowa), 42, 116

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Nichols v. Chicago, &c., R. Co., 60 Minn. 319, 1346
v. Chrystal, &c., Co., 126 Mo. 55, 1288
v. Duluth, 40 Minn. 389, 977, 1057, 1057b
v. Eddy, 24 S. W. 316, 1577b
v. Gulf, &c., R. Co., 83 Miss. 126, 1251
v. Louisville, &c., R. Co. (Ky.) 6 S. W. 339, 1257
v. Lynn, &c., R. Co., 168 Mass. 528, 1096bt, 1096cr, 1096cy
v. Mase, 94 N. Y. 160, 497, 498
v. New Haven, &c., R. Co., 42 Conn. 103, 525
v. New York, &c., R. Co., 15 Fed. 575, 305
v. Oregon, &c., R. Co., 24 Utah, 83, 1437, 1451, 1468, 1471
v. Perry, 11 N. J. Eq. 126, 547
v. Pere Marquette R. Co., 108 N. W. 1016, 1278a
v. Scranton, &c., Co., 137 N. Y. 471, 285, 347
v. Smith, 115 Mass. 332, 572, 1393, 1409, 1413, 1711
v. Somerset, &c., R. Co., 43 Me. 356, 950, 986, 1048, 1050
v. Southern Pac. Co., 23 Ore. 123, 1596, 1599
v. Walters, 37 Minn. 270, 774
v. Washington, &c., R. Co., 83 Va. 99, 1251, 1252
Nicholls v. LeFeuvre, 2 Bing. (N. C.) 81, 1539
v. State, 68 Wis. 416, 732
Nicholson v. Erie, &c., R. Co., 41 N. Y. 525, 1154, 1250
v. Fields, 7 H. & N. 810, 715
v. Great Western, &c., R. Co., 7 C. B. (N. S.) 755, 1467
v. Great Western, &c., R. Co., 5 C. B. (N. S.) 366, 1391, 1676
v. Great Western, &c., R. Co., 5 C. B. (N. S.) 748, 1467
v. Lancashire, &c., R. Co., 3 Hurls. & C. 534, 1590, 1628, 1641
v. New York, &c., R. Co., 22 Conn. 74, 978, 1057, 1087
v. Transylvania R. Co., 138 N. C. 516, 1
v. Willan, 5 East, 507, 1495
Nickals v. New York, &c., R. Co., 15 Fed. R. 575, 314
Nickles v. Seaboard Air Line R. Co., 74 S. Car. 102, 1801
Nickerson v. Atchison, &c., R. Co., 17 Fed. 408, 499, 527
Nickey v. St. Louis, &c., R. Co., 35 Mo. App. 79, 1461, 1510, 1537
v. Stender, 164 Ind. 189, 1310
Nicks v. Chicago, &c., R. Co., 84 Iowa, 27, 1113
Nickburn v. Burckhardt, 30 Ore. 464, 102
Niclase v. Griffith (Ark.), 26 S. W. 381, 229
Nicol's Case, 3 DeG. & J. 387, 95
Nicolay v. St. Clair County, 3 Dill. (U. S.) 163, 842, 898, 900
Nicolette Lumber Co. v. People's Coal Co., 213 Pa. St. 379, 1567a
Nicoll v. New York, &c., R. Co., 12 N. Y. 121, 400, 938, 940, 941, 942, 1077, 1096l
v. New York, &c., R. Co., 62 N. J. L. 733, 1053
Nicolson Paving Co. v. Painter, 35 Cal. 699, 783
Nicomen Boom Co. v. North Shore, &c., Co., 40 Wash. 315, 931
Nieman v. Detroit, &c., R. Co., 103 Mich. 256, 1096d
Niemann v. Michigan, &c., R. Co., 80 Mich. 197, 1209
Niemeyer v. Little Rock, &c., R. Co., 43 Ark. 111, 957
Nierman v. Detroit Suburban R. Co., 103 Mich. 256, 1096p
Nieto v. Clark, 1 Cliff. (U. S. C. C.) 145, 1638
Niklaus v. Conkling, 118 Ind. 289, 782
Niles v. Dodge, 70 Ind. 147, 282
v. Minneapolis, &c., R. Co. (Mich.) 65 N. W. 103, 1314
Nilson v. Jonesboro, 57 Ark. 168, 1058
Nimmo v. Walker, 14 La. Ann. 581, 1267
Nimmons v. Tappan, 2 Sweeny (32 N. Y. Super.), 652, 606
Nims v. Mount Hermon, &c., 160 Mass. 177, 452
Nines v. St. Louis, &c., R. Co., 107 Mo. 475, 1439
Nine Thousand, &c., Dry Hides, 6 Ben. 199, 1561
Ninth Ave., Matter of, 45 N. Y. 729, 965
Ninth National Bank v. Knox County, 37 Fed. R. 75, 836, 859, 896, 905, 918
Nishnabotna, &c., Dist. v. Campbell, 154 Mo. 151, 1019
Niskern v. Chicago, &c., R. Co., 22 Fed. R. 811, 1242, 1243, 1244
Nitan v. Rodden, 84 Pac. 145, 914
Nith, The, 36 Fed. R. 86, 1466
Nitro-Glycerine Case, 15 Wall. 524, 1309, 1466, 1492
Nitshill v. Caledonian, &c., R. Co., 2 Nev. & Mac. 39, 1677, 1678, 1680
Nix v. Texas, &c., R. Co., 82 Tex. 473, 1316
Nixon v. Campbell, 106 Ind. 47, 826, 856, 872, 874a
v. Chicago, &c., R. Co., 84 Iowa, 331, 1179
v. Taft, &c., R. Co., 7 Hare, 136, 1060
N. K. Fairbank & Co. v. Cincinnati, &c., R. Co., 54 Fed. R. 420, 623
v. Cincinnati, &c., R. Co., 81 Fed. 289, 1505
Noble v. Atchison, &c., R. Co., 4 Okla. 534, 1637
v. Greer, 48 Kan. 41, 505
v. Seattle, 19 Wash. 133, 1361
v. State, 43 Ga. 466, 520
v. Turner, 69 Md. 519, 78, 98
Noblesville v. Lake Erie, &c., R. Co., 130 Ind. 1, 947, 948a, 1088
Nockels v. Crosby, 3 Barn. & C. 814, 13
Noe v. Gibson, 7 Paige (N. Y.), Ch. 513, 575
Noell v. Gaines, 68 Mo. 649, 507
Noessen v. Port Washington, 37 Wis. 168, 856, 873
Nofsinger v. Ring, 4 Mo. App. 576, 1266
Nolan v. Brooklyn City, &c., R. Co., 87 N. Y. 63, 1096cz, 1630, 1630a
v. New York, &c., R. Co., 53 Conn. 461, 1190, 1250, 1259, 1798
v. New York, &c., R. Co., 9 Jones & S. (41 N. Y. Super.) 541, 1593, 1601
v. New York, &c., R. Co., 70 Conn. 159, 202, 1280

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Nolan Co. v. State, 83 Tex. 182, 835, 891
Noll v. Dubuque, &c., R. Co., 32 Iowa, 66, 931, 950
v. Philadelphia, &c., R. Co., 163 Pa. St. 504, 1320
Nolte v. Lebbert, 34 Ind. 163, 616
Nolton v. Western R. Co., 15 N. Y. 444, 213, 1578
Nonce v. Richmond, &c., R. Co., 33 Fed. R. 429, 623
Nones v. Northouse, 46 Vt. 587, 1808
Nonpariel, The, 149 Fed. 521, 1057c
Noonan v. Bradley, 9 Wall. 394, 1371
v. Lee, 2 Black (U. S.) 499, 517
v. New York, &c., R. Co., 16 N. Y. S. 678, 1315c
v. New York Cent. R. Co., 62 Hun (N. Y.), 618, 1320
Nord v. Boston, &c., R. Co., 30 Mont. 48, 1313
Nord Deutscher, &c., Co. v. Ingebregsten, 57 N. J. L. 400, 1278, 1327
Nordemeyer v. Loescher, 1 Hilt. (N. Y.) 499, 1662
Nordquist v. Great Northern R. Co., 89 Minn. 485, 1314
Norfolk City v. Ellis, 26 Gratt. 234, 781
Norfolk R. & Light Co. v. Spratley, 103 Va. 379, 1096cm
Norfolk Southern R. Co. v. Barnes, 104 N. Car. 25, 1414
Norfolk, &c., R. Co. v. Adams (Va.) 18 S. E. 673, 200
v. Adams, 90 Va. 393, 1567
v. Ampey, 93 Va. 108, 1306, 1807
v. Bell, 104 Va. 836, 1795
v. Bohannan, 85 Va. 293, 1239
v. Brown, 91 Va. 668, 1279
v. Carper, 88 Va. 556, 1154, 1252, 1257
v. Carr, 56 S. E. 276, 1849
v. Carter, 91 Va. 587, 1005, 1057, 1057f
v. Cheatwood, 103 Va. 356, 1357
v. Commonwealth (Va.), 24 S. E. 837, 1673
v. Commonwealth, 103 Va. 289, 676, 1398
v. Commonwealth, 88 Va. 95, 1673
v. Cottrell, 83 Va. 512, 621
v. Donnelly, 88 Va. 853, 1316
v. Dunnaway, 93 Va. 29, 1257
v. Ely, 95 N. Car. 77, 954, 1047, 1053
v. Ferguson, 79 Va. 241, 1221, 1629, 1689f
v. Fritts, 103 Va. 687, 1221, 1225, 1228
v. Galliher, 89 Va. 639, 1577
v. Gee, 104 Va. 806, 1761
v. Graham, 96 Va. 430, 1298a
v. Groseclose, 88 Va. 267, 1262, 1628
v. Harman, 83 Va. 553, 1172
v. Harman, 91 Va. 601, 1448, 1479, 1511, 1548, 1551a
v. Harman, 104 Va. 501, 1424
v. Hoover, 79 Md. 253, 1284, 1292, 1322, 1329, 1796
v. Houchins, 95 Va. 398, 1297, 1318, 1318a, 1330, 1331
v. Howison, 81 Va. 125, 1070
v. Irvine, 84 Va. 553, 1466, 1650, 1655
Norfolk, &c., R. Co. v. Jackson, 85 Va. 489, 1288, 1312, 1697, 1766
v. Liscomb, 90 Va. 137, 1625
v. Lynchburg Cotton Mill Co., 56 S. E. 146, 955
v. Marshall, 90 Va. 836, 1584, 1634, 1644
v. Mills, 91 Va. 61, 1059
v. Nunnally, 88 Va. 546, 1278
v. Ormsby, 27 Gratt. (Va.) 455, 1261, 1262, 1812
v. Pendleton, 156 U. S. 667, 524, 531, 613
v. Pennsylvania, 136 U. S. 114, 21, 29, 30, 658, 759, 762, 765, 1671, 1673
v. Perdue, 40 W. Va. 442, 949
v. Perrow, 101 Va. 345, 1225
v. Phelps, 90 Va. 665, 1306
v. Poole, 100 Va. 148, 1689f
v. Read, 87 Va. 185, 1451
v. Reeves, 97 Va. 284, 1512, 1514, 1549, 1743, 1747, 1772
v. Shippers Compress Co., 83 Va. 272, 41
v. Shott, 92 Va. 34, 1578a, 1604
v. Sims, 191 U. S. 411, 754, 1665
v. Smith, 64 Atl. 317, 1209
v. Smoot, 81 Va. 495, 1049c, 1096
v. Spratley, 103 Va. 379, 1800
v. Stegall, 54 S. E. 19, 1369
v. Stevens, 97 Va. 631, 1268
v. Sutherland, 89 Va. 703, 1548, 1552, 1556
v. Tanner, 100 Va. 379, 1608
v. Thomas, 90 Va. 205, 1768
v. Tidewater R. Co., 52 S. E. 852, 1121
v. Wheeler (Va.), 29 L. R. A. 825, 1250
v. Williams, 89 Va. 165, 1280, 1294, 1297
v. Wilson, 90 Va. 263, 1252, 1179l
v. Wood, 99 Va. 156, 1256, 1762
v. Wysor, 82 Va. 250, 1576, 1597, 1600, 1694
Norman v. Heist, 5 Watts & S. 171, 666
v. Railway Co., 65 S. Car. 517 1598
Normile v. Northern Pac. R. Co., 36 Wash. 21, 1521, 1527, 1528
v. Oregon Nav. Co., 41 Ore. 177, 1510, 1552, 1556
v. Wheeling, &c., Co., 57 W. Va. 132, 1096cv, 1819
Norris v. Abingdon Academy, 7 Gill & J. (Md.) 7, 950
v. Androscoggin, &c., R. Co., 39 Me. 273, 1185, 1186
v. Baltimore, &c., R. Co., 109 Fed. 591, 1225
v. Boston, 4 Met. (Mass.) 282, 736
v. Harris, 15 Cal. 226, 1663
v. Irish Land Co., 8 El. & Bl. 512, 98
v. Pueblo, 12 Colo. App. 290, 1000a
v. Savannah, &c., R. Co., 23 Fla. 182, 1455, 1584
v. Vermont, &c., R. Co., 28 Vt. 99, 418, 937, 976, 977
Norristown v. Moyer, 67 Pa. St. 355, 1092, 1810
Norristown Turnpike Co. v. Burkett, 26 Ind. 53, 1012, 1028

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Norristown, &c., R. Co. v. Citizens', &c., R. Co., 3 Mont. (Pa.) 119, 1083
North v. Cleveland, &c., R. Co., 10 Ohio St. 548, 621
v. Forest, 15 Conn. 400, 92
v. London, &c., R. Co., 14 C. B. N. S. 132, 1571
v. Merchants' Trans. Co., 146 Mass. 315, 1427, 1432, 1440
v. State, 107 Ind. 356, 48, 55, 405
North, &c., R. Co. v. Akers, 4 Kan. 453, 1734
v. Spullock, 88 Ga. 283, 138
v. Swank, 105 Pa. St. 555, 937
v. Winfree, 51 Ga. 318, 111
North, &c., Co. v. People, 147 Ill. 234, 49
North Alabama, &c., R. Co. v. Orman, 55 Fed. R. 18, 656
North Arkansas R. Co. v. Cole, 71 Ark. 38, 1036a
North Baltimore, &c., R. Co., v. Baltimore, 75 Md. 247, 1096au
v. Kaskell, 78 Md. 517, 1096cw, 1633
v. Mayor, 75 Md. 247, 1083, 1084, 1096t
v. North Ave. R. Co., 75 Md. 233, 922, 1080, 1096q, 1096r
North Beach, &c., Co., Appeal of, 32 Cal. 499, 5, 786
North Birmingham v. Calderwood, 89 Ala. 247, 1696
North Birmingham, &c., R. Co. v. Liddicoat, 99 Ala. 545, 1578b, 1689a, 1689e, 1757
North British R. Co. v. Tod, 5 Bell's App. Cas. (Scotland) 184, 919
North British, &c., Co. v. Tod, 12 Cl. & Fin. 722, 450
North British, &c., R. Co. v. London, &c., R. Co., L. R. 5 Ch. Div. 569, 1509
North Brookfield, &c., Bank v. Flanders, 161 Mass. 335, 292
North Carolina, &c., R. Co. v. Atlantic Coast Line R. Co., 137 N. Car. 1, 682a
North Carolina R. Co. v. Drew, 3 Woods (U. S.) 691, 336, 514
v. Leach, 4 Jones L. (N. C.) 340, 128
North Carolina , &c., R. Co. v. Carolina, &c., R. R. Co., 83 N. Car. 489. 525, 531, 958, 964, 967
North Chicago City R. Co. v. Lake View, 105 Ill. 207, 1080, 1090, 1096q, 1096r
North Chicago R. Co. v. Gastka, 128 Ill. 613, 1638
North Chicago St. R. Co. v. Baur, 179 Ill. 126, 1096cz
v. Cotton, 140 Ill. 486, 1096cw, 1635
v. Dudgeon, 184 Ill. 477, 1063, 1304
v. Duebner, 85 Ill. App. 602, 1816
v. Fitzgibbons, 180 Ill. 466, 1815
v. Irwin, 202 Ill. 345, 1791
v. Lehman, 82 Ill. App. 238, 1816
v. Polkey, 203 Ill. 225, 1096cv, 1096cz, 1585, 1636, 1839
v. Smadraff, 189 Ill. 155, 1096ci
v. Zeiger, 78 Ill. App. 463, 1808
North Chicago, &c., R. Co. v. Brodie, 156 Ill. 317, 1096bv, 1378
v. Cook, 145 Ill. 551, 1585
v. Harms, 59 Ill. App. 374, 1096cn
North Chicago, &c., R. Co. v. Johnson, 114 Ill. 57, 1298, 1300
v. Nelson, 79 Ill. App. 229, 1096cj
v. Rodert, 203 Ill. 413, 1096ch
v. Williams, 140 Ill. 275, 1096cr, 1096cs, 1096cz, 1636
v. St. Louis, &c., Co., 152 U. S. 596, 625
North Central Wagon Co. v. Manchester, &c., Ry. Co., 35 Ch. Div. 191, 502
North Fork Lumber Co. v. Southern R. Co., 55 S. E. 781, 1226
North German Lloyd v. Heule, 44 Fed. R. 100, 1559, 1563
North Hallenbeagle, &c., Co., In re, L. R. 2 Ch. 321, 152
North Hudson County R. Co. v. Booraem, 28 N. J. Eq. 450, 526, 998, 1003, 1025, 1044
North Hudson R. Co. v. Anderson, 61 N. J. L. 248, 1603
North Hudson, &c., R. Co. v. Isley, 49 N. J. L. 468, 1096ce
North Hudson, &c., Co. v. Hoboken, 41 N. J. L. 71, 1096ai
North Jersey St. R. Co. v. Schwartz, 66 N. J. L. 437, 1096ci, 1809
North Jersey, &c., R. Co. v. South Orange Twp., 58 N. J. Eq. 83, 1096bj
North Lebanon R. Co. v. McGrann, 33 Pa. St. 350, 1059
North London R. Co. v. Metropolitan Board, 1 Johns. Eng. Ch. 405, 38
North Manheim's Appeal (Pa.), 14 Atl. 137, 630
North Manheim, Appeal of Township of (Pa.), 22 W. N. C. 149, 630, 1107
North Manheim v. Reading, &c., R. Co., 18 Phila. (Pa.) 650, 1105
North Missouri R. Co. v. Gott, 25 Mo. 540, 954
v. Lackland, 25 Mo. 515, 929, 1031, 1033
v. Miller, 31 Mo. 19, 125
v. Winkler, 29 Mo. 318, 121, 386
v. Reynal, 25 Mo. 534, 930, 1053
v. Maguire, 20 Wall. 46, 736
North Milwaukee Townsite v. Bishop, 103 Wis. 492, 139
North Pennsylvania R. Co. v. Adams, 54 Pa. St. 94, 486
v. Commercial Bank, 123 U. S. 727, 1179, 1398, 1426, 1427, 1429a, 1517, 1523, 1527, 1535, 1556, 1702
v. Davis, 26 Pa. St. 238, 963, 1003b, 1025
v. Heilman, 49 Pa. St. 60, 1153, 1167
v. Inland Trac. Co., 205 Pa. 579, 1049a
v. Kirk, 90 Pa. St. 15, 1378, 1378b, 1782
v. Mahoney, 57 Pa. St. 187, 1172
v. Rehman, 49 Pa. St. 101, 1180
v. Robinson, 44 Pa. St. 175, 1263
v. Stone, 3 Phil. (Pa.) 421, 1082, 1096ag
North Point, &c., Co. v. Utah, &c., Co., 16 Utah 246, 36
North River Bank v. Aymar, 3 Hill (N. Y.) 262, 268

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

North Shore, &c., Ferry Co., In re, 63 Barb. (N. Y.) 556, 156
North Shore, &c., R. Co. v. McWillie, 17 Can. Sup. Ct. 511, 1225, 1373
North State, &c., Co. v. Field, 64 Md. 151, 154
North Steffordshire R. Co. v. Salt Union, 10 R. & C. T. Cas. 161, 1566
North, &c., St. R. Co. v. Spullock, 88 Ga. 283, 133
North, &c., Co. v. People, 147 Ill. 234, 609
Northeastern Tel. Co. v. Hepburn, 65 Atl. 747, 405
Northeastern R. Co., Ex parte, 60 S. Car. 401, 1361a
Northeastern R. Co. v. Chandler, 84 Ga. 37, 1813
Northeastern, &c., R. Co. v. Frazier, 25 Neb. 53, 985, 1037
v. Frazier, 25 Neb. 42, 1001
v. Payne, 8 Rich. L. (S. C.) 177, 41, 927a, 1080
v. Richardson, 41 L. J. C. P. 60, 1550
v. Sineath, 8 Rich. (S. Car.) Law 185, 996
v. Wanless, L. R. 7 E. & I. App. Cas. 12, 1157, 1173
Northern Ala. R. Co. v. Hopkins, 87 Fed. 505, 584
v. Mansell, 138 Ala. 548, 1269, 1271a, 1276
v. Shea, 142 Ala. 119, 1301a
Northern Bank v. Porter Township, 110 U. S. 608, 831, 887, 895, 897, 898
Northern Central R. Co.'s Appeal, 103 Pa. St. 621, 1123
Northern Central R. Co. v. Baltimore, 46 Md. 425, 966, 974, 1096al
v. Bastian, 15 Md. 494, 285, 287, 491
v. Canton Co., 30 Md. 347, 949, 998
v. Commonwealth, 90 Pa. St. 300, 718, 719, 1090, 1096, 1105
v. Harrisburgh, &c., Co., 177 Pa. St. 142, 1096bp
v. Husson, 101 Pa. St. 1, 1296, 1301
v. Jackson, 7 Wall. (U. S.) 262, 27
v. McMahon, 97 Md. 483, 1703
v. Maryland, 187 U. S. 258, 768
v. Mills, 61 Md. 355, 1822
v. O'Conner, 76 Md. 207, 200, 1601b
v. Prentiss, 11 Md 119, 222
v. State, 54 Md. 143, 1150
v. State, 100 Md. 404, 1156
v. State, 29 Md. 420, 222, 1389, 1701
Northern Lumber Co. v. O'Brien, 27 Sup. Ct. 249, 798a
Northern Pac. R. Co. v. Adams, 192 U. S. 440, 1378, 1608
v. American, &c., Co., 195 U. S. 439, 567, 1447, 1482, 1538a
v. Babcock, 154 U. S. 190, 1339, 1365, 1366
v. Barnsville, &c., R. Co., 4 Fed. R. (2 McCrary 203) 298, 1 Am. & Eng. R. Cas. 8, 949
v. Beaton, 64 Fed. 563, 1332
v. Behling, 57 Fed. R. 1037, 1351
v. Blake, 63 Fed. R. 45, 1279, 1296
v. Burlington, &c., Co., 4 Fed. R. 298, 986, 1052
Northern Pac. R. Co. v. Cannon, 49 Fed. R. 517, 628
v. Carland, 5 Mont. 146, 389, 750
v. Charless, 51 Fed. R. 562, 1276, 1296, 1328, 1702
v. Charless, 162 U. S. 359, 1332, 1697
v. Colburn, 164 U. S. 383, 809
v. Coleman, 3 Wash. 228, 1030a
v. Davis, 19 Land Dec. 87, 799
v. DeLacey, 174 U. S. 622, 798a
v. De Lacy, 66 Fed. R. 450, 803
v. Dixon, 194 U. S. 346, 1276, 1316, 1322, 1328, 1333
v. Dixon, 139 Fed. 737, 1300
v. Doherty, 100 Wis. 39, 927
v. Egeland, 56 Fed. 200, 1314, 1315d
v. Ellison, 3 Wash. 225, 1359
v. Freeman, 174 U. S. 379, 1153, 1163, 1166, 1179b, 1701
v. Freeman, 83 Fed. 82, 1378a
v. Hambly, 154 U. S. 349, 1276, 1317, 1332
v. Hess, 2 Wash. 383, 1640
v. Hogan, 63 Fed. R. 102, 1318, 1339
v. Holmes, 3 Wash. Ter. 202, 1153, 1167
v. Hussey, 61 Fed. R. 231, 810
v. Kempton, 138 Fed. 992, 1746, 1757a
v. Keyes, 91 Fed. 47, 693
v. Lewis, 51 Fed. R. 658, 1231, 1233, 1243, 1243a
v. McCrimmon, 12 Land Dec. 554 799
v. McMullen, 86 Wis. 501, 654
v. Hares, 123 U. S. 710, 1273, 1292
v. Martin, 26 Can. Sup. Ct. 135, 1512
v. Majors, 5 Mont. 111, 801
v. Miller, 7 Land Dec. 109, 799
v. Musser, &c., Co., 68 Fed. R. 993, 796, 798
v. Musser, &c., Co., 168 U. S. 604, 798a
v. Nickels, 50 Fed. R. 718, 202a, 1282
v. O'Brien, 1 Wash. 599, 1163, 1313
v. Paine, 119 U. S. 561, 656
v. Pauson, 70 Fed. R. 585, 1594, 1594a
v. Peterson, 162 U. S. 346, 1316, 1317, 1318, 1332
v. Plumb, 16 Land. Dec. 80, 799
v. Poirier, 167 U. S. 48, 1331, 1333
v. Raymond, 5 Dak. 356, 765
v. Roberts, 42 Fed. R. 734, 1, 413, 814
v. St. Paul, &c., R. Co., 1 McCrary (U. S.), 302, 632, 1049
v. St. Paul, &c., R. Co., 3 Fed. R. 702, 964, 965
v. Sanders, 166 U. S. 620, 799
v. Smith, 59 Fed. R. 993, 1324
v. Smith, 171 U. S. 260, 931, 949
v. Soderber, 188 U. S. 526, 978
v. Spokane, 56 Fed. R. 915, 425
v. Sullivan, 53 Fed. R. 219, 1264
v. Teeter, 63 Fed. 527, 1272
v. Territory, 3 Wash. T. 303, 641, 662, 920
v. Territory, 142 U. S. 492, 1056c
v. Townsend, 190 U. S. 267, 809
v. United States, 36 Fed. R. 132, 794
v. United States, 104 Fed. 691, 1057

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Northern Pac. R. Co. v. Urlin, 158 U. S. 271, 1689l
v. Washington, 142 U. S. 492, 578, 635, 637, 641, 662, 694, 699, 1678
Northern Pac., &c., R. Co. v. Herbert, 116 U. S. 642, 1312
Northern R. Co. v. Craft, 69 Fed. 124, 1788
v. Page, 22 Barb. (N. Y.) 130, 1576, 1602
Northern Security Co. v. United States, 193 U. S. 197, 159, 190, 365, 1663, 1674, 1675
Northern Texas Trac. Co. v. Caldwell, 99 S. W. 869, 1794
v. Mullins, 99 S. W. 433, 1820
v. Roye, 86 S. W. 621, 1262
Northern Transportation Co. v. Chicago, 99 U. S. 635, 976, 977
v. McClary, 66 Ill. 233, 1419
v. Sellick, 52 Ill. 249, 1526
Northern Transportation, &c., Co. v. Chicago, 7 Biss. 45, 398
Northern Trust Co. v. Columbia, &c. Co., 75 Fed. 936, 89
Northern, &c., R. Co. v. American, &c., Co., 195 U. S. 439, 1423
v. Babcock, 154 U. S. 978, 1296, 1366
v. Baltimore, 46 Md. 425, 1092, 1099, 1102, 1105, 1666
v. Concord, &c., R. Co., 27 N. H. 183, 74, 1041, 1045
v. Craft, 69 Fed. R. 124, 1359
v. Hambly, 154 U. S. 349, 1298
v. Harrison, 10 Exch. 376, 1610
v. Herbert, 116 U. S. 642, 1278
v. Husson, 101 Pa. St. 1, 1271, 1301, 1302
v. Mares, 123 U. S. 710, 1702
v. Mase, 63 Fed. R. 114, 1366
v. Mayor, 21 Md. 93, 1077, 1081, 1096l, 1096p
v. Mayor, 46 Md. 425, 1092, 1099, 1102
v. Michigan Cent. R. Co., 15 How. (U. S.) 233, 554
v. Miller, 10 Barb. (N. Y.) 260, 109, 149
v. O'Connor, 76 Md. 207, 1576
v. Peterson, 51 Fed. R. 182, 1317, 1318
v. State, 31 Md. 357, 1163, 1313
v. Sullivan, 53 Fed. 219, 1689h
Northern, &c., Co. v. Concord R. Co., 50 N. H. 166, 275
v. Connelly, 10 Ohio St. 159, 786, 788
Northampton, In re, Mayor of City of, 158 Mass. 299, 671, 1109
Northampton v. Smith, 11 Metc. 390, 681
Northampton Bank v. Pepoon, 11 Mass. 288, 209, 258
Northampton Bridge Case, 116 Mass. 442, 964
Northampton Nat. Bank v. Kidder, 106 N. Y. 221, 484
Northampton, &c., Co. v. Lehigh, &c., Co., 75 Pa. St. 461, 750
Northport, &c., Assn. v. Perkins, 93 Me. 235, 193
Northrop v. Bushnell, 38 Conn. 498, 181
v. Newton, &c., Turnpike Co., 3 Conn. 544, 156, 306
Northside R. Co. v. Worthington, 58 Tex. 562, 38
Northumberland Ave. Hotel Co., In re, L. R. 33 Ch. Div. 16, 353
Northwestern El. R. Co. v. O'Malley, 107 Ill. App. 599, 1248, 1257
Northwestern Fuel Co. v. Danielson, 57 Fed. R. 915, 1283, 1291
Northwestern Mortg. Co. v. Bradley, 9 S. Dak. 495, 529
Northwestern National Life Ins. Co. v. Riggs, 27 Sup. Ct. 126, 772
Northwestern Tel. Co. v. Chicago, &c., R. Co., 76 Minn. 334, 966
Northwestern Union Packet Co. v. Shaw, 37 Wis. 655, 369, 374
Northwestern, &c., Assn. v. Chicago, &c., R. Co., 2 Interst. Com. 431, 1682
v. Jones, 154 Pa. St. 99, 1380
Northwestern, &c., R. Co. v. Cotton, &c., Co., 70 Fed. 155, 604
v. McMichael, 6 Ex. 273, 134
v. Whinray, 26 Eng. L. & Eq. 488, 233
Northwestern, &c., Co. v. Burlington, &c., R. Co., 20 Fed. R. 712, 1695
v. Hack, 66 Ill. 238, 213
Northwood Union Shoe Co. v. Pray, 67 N. H. 435, 133
Norton v. Board, &c., 129 U. S. 479, 819, 820, 918
v. Dyersberg, 127 U. S. 160, 827, 839, 874, 876, 891, 911, 918
v. Eastern R. Co., 113 Mass. 366, 1156, 1264
v. Hodges, 100 Mass. 241, 147
v. Interurban, &c., Co., 98 N. Y. S. 216, 1096br
v. London, &c., R. Co., L. R. 9 Ch. Div. 623, L. R. 13 Ch. Div. 268, 931
v. Shelby Co., 118 U. S. 425, 918
v. State, 74 Ind. 337, 732
v. Taxing District, 129 U. S. 479, 883
v. Wallkill Valley R. Co., 63 Barb. (N. Y.) 77, 930, 1020, 1023, 1028
Norvell v. Porter, 62 Mo. 309, 1019
Norwalk, The City of, 55 Fed. R. 98, 1361
Norwalk Bank v. Adams, &c., Co., 4 Blatchf. 455, 1535
Norwalk Gas Light Co. v. Borough of Norwalk, 63 Conn. 495, 1063
Norway Plains Co. v. Boston, &c., Co., 1 Gray 263, 1393, 1464, 1465, 1519, 1527
Norwich v. Norfolk R. Co., 4 El. & Bl. 397, 341
Norwich Gas Light Co. v. Norwich, &c., Co., 25 Conn. 19, 1096u
Norwich Ins. Co. v. Oregon R. Co., 78 Pac. 1025, 1241
Norwich Lock Mfg. Co. v. Hockaday, 89 Va. 557, 111a
Norwich, &c., R. Co. v. Cahill, 18 Conn. 484, 170
v. Worcester, 147 Mass. 518, 430
Norwood, In re, 183 Mass. 147, 1109
Nosler v. Chicago, &c., R. Co., 73 Iowa 268, 1700
Notara v. Henderson, 5 L. R. Q. B. 346, 1481, 1486, 1571
Nottingham v. Baltimore, &c., R. Co., 3 McArthur (D. C.) 517, 1087
Novock v. Michigan, &c., R. Co., 63 Mich. 121, 1314
Nowell v. State, 94 Ga. 588, 730

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Noyes v. Boscawen, 64 N. H. 361, 1174
v. Hall, 97 U. S. 34, 806, 809
v. Rich, 52 Me. 115, 495, 626
v. Rutland, &c., R. Co., 27 Vt. 110, 1393, 1434, 1441
v. St. Louis, A. & T. H. R. Co., 21 N. E. 487, 419
v. Smith, 28 Vt. 59, 1288, 1299, 1307
v. Southern, &c., R. Co. (Cal.), 24 Pac. 927, 1374
v. Spauldin, 27 Vt. 420, 98, 886
Nudd v. Wells, 11 Wis. 408, 1484, 1694
Nugent v. Boston, &c., R. Co., 80 Me. 62, 467, 472, 1269, 1573, 1660
v. Cincinnati, &c., R. Co., 2 Disney (Ohio) 302, 127
v. Fair Haven, &c., R. Co., 73 Conn. 139, 1096cz
v. Kaufmann (Mo.), 33 S. W. 428, 1283
v. New Haven St. R. Co., 73 Conn. 139, 1636
v. Smith, L. R. 1 C. P. Div. 2264, 1534, 1546, 1691
v. Supervisors, 19 Wall. (U. S.) 241, 322, 325, 327, 329, 863, 886, 913
Nulton v. Clayton, 54 Iowa 425, 102, 103
Nunn v. Georgia, &c., R. Co., 71 Ga. 710, 1621
Nutt v. Southern Pac. R. Co., 25 Ore. 291, 1268, 1277, 1288, 1782
Nutter v. Boston, &c., R. Co., 60 N. H. 483, 1179a, 1792
v. Southern R., 25 Ky. L. 1700, 1594
Nutting v. Connecticut, &c., Railroad, 1 Gray 502, 1435, 1449
Nye v. Dutton, 187 Mass. 549, 1283
v. Lamphere, 2 Gray (Mass.) 297, 713
v. Marysville, &c., St. R. Co., 97 Cal. 461, 200

O.

Oakbank Oil Co. v. Crum, L. R. 8 App. Cas. 65, 78, 321
Oakdale, &c., Co. v. Garst (R. I.), 28 Atl. 973, 49
Oakes v. Cattaraugus Water Co., 143 N. Y. 430, 14, 283, 285
v. Maine Cent. R. Co., 95 Me. 103, 1378a
v. Mase, 165 U. S. 363, 1331
v. Myers, 68 Fed. 807, 565, 798
v. Northern Pac. R. Co., 20 Ore. 392, 1646, 1647, 1648, 1649, 1651
v. Turquand, L. R. 2 H. L. Cas. 325, 127, 128, 132, 181
Oakland R. Co. v. Fielding, 48 Pa. St. 320, 1092, 1176, 1821, 1822
v. Keenan, 56 Pa. St. 198, 520
v. Oakland, &c., Co., 45 Cal. 365, 47, 57, 62, 64, 607, 1081, 1096ac
Oakley v. Paterson Bank, 2 N. J. Eq. 173, 540
v. Portsmouth, &c., Packet Co., 11 Exch. 618, 1397, 1455, 1481
v. Workingmen's, &c., Soc., 2 Hilt. (N. Y.) 487, 285
Oates v. Metropolitan, &c., R. Co., 168 Mo. 535, 1096cn
v. National Bank, 100 U. S. 239, 1663
Oates v. Union Pacific R. Co., 104 Mo. 514, 1373, 1635
v. Union R. Co., 27 R. I. 499, 1096ce, 1790
Oatts v. Cincinnati, &c., R. Co. (Ky.), 22 S. W. 330, 1248
O'Banion v. Missouri Pac. R. Co., 65 Kans. 352, 1255
O'Bannon v. Louisville, &c., R. Co., 8 Bush (Ky.), 348, 668, 1183
v. Southern Ex. Co., 51 Ala. 481, 1409
O'Bear, &c., Co. v. Volfer (Ala.), 17 So. 525, 110, 600, 604
Ober v. Gallegher, 93 U. S. 199, 510
v. Indianapolis, &c., R. Co., 13 Mo. App. 81, 1692
Oberfelder v. Union Pacific R. Co., 60 Iowa, 755, 627
Obertoni v. Boston, &c., R. Co., 186 Mass. 481, 214, 1260
O'Brien v. Baltimore Belt R. Co., 74 Md. 363, 630, 1087
v. Blue Hille, &c., R. Co., 186 Mass. 446, 1096cb, 1096cn
v. Boston, &c., Co., 138 Mass. 387, 1303a, 1578, 1645
v. Boston, &c., R. Co., 15 Gray 90, 1581, 1637
v. Central, &c., Co., 158 Ind. 218, 1084
v. Champlain Const. Co., 107 Fed. 338, 1061
v. Chicago, &c., R. Co., 89 Iowa 644, 1377
v. Chicago, &c., R. Co., 92 Wis. 340, 1702
v. Chicago, &c., R. Co., 102 Wis. 628, 1702
v. Chicago, &c., R. Co., 132 Fed. 593, 1645
v. Cunard Steamship Co., 154 Mass. 272, 222, 1388
v. Gilchrist, 34 Me. 554, 1419, 1420
v. McGlinchy, 68 Me. 552, 1262
v. Mayor, &c., of New York, 139 N. Y. 543, 1060
v. Moffitt, 133 Ind. 660, 512
v. New York, &c., R. Co., 80 N. Y. 236, 1637
v. Norris, 16 Md. 122, 1539
v. Railroad Co., 82 S. W. 319, 1278a
v. St. Louis Transit Co., 185 Mo. 263, 1638, 1836
v. St. Paul, 25 Minn. 331, 977
v. St. Paul City R. Co. (Minn.), 108 N. W. 805, 1096br, 1096ci
v. Shor's Flat, &c., Co., 10 Cal. 343, 622
v. Wheelock, 78 Fed. 673, 910, 918
O'Bryan v. Kinney, 74 Mo. 634, 1423
O'Callaghan v. Bode, 84 Cal. 489, 1248
Occidental Consol. Min. Co. v. Comstock Tunnel Co., 125 Fed. 244, 1799
Occidental Ins. Co. v. Ganzhorn, 2 Mo. App. 205, 131
Occidental, &c., Assn. v. Sullivan, 62 Cal, 394, 152
Ocean Steamboat Co. v. Ehrlich, 88 Ga. 502, 1543
Och v. Missouri, &c., R. Co., 130 Mo. 27, 1377, 1697
Ochiltree v. Chicago, &c., R. Co. (Iowa), 62 N. W. 7, 1264
O'Connell v. Baltimore, &c., R. Co., 20 Md. 212, 1578

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

O'Connell v. East Tenn., &c., R. Co., 87 Ga. 246, 937, 1057f
O'Conner v. Forster, 10 Watts (Pa.) 418, 1729
v. Illinois, &c., R. Co., 77 Ill. App. 22, 1792, 1794
O'Conner, &c., Co. v. Coosa, &c., Co., 95 Ala. 614, 604
O'Connor v. Atchison, &c., R. Co., 137 Fed. 503, 1697
v. Boston, &c., R. Co., 135 Mass. 352, 1092, 1176
v. Current River R. Co., 111 Mo. 185, 1073
v. Illinois Cent. R. Co., 83 Iowa 105, 1697
v. Illinois Cent. R. Co., 44 La Ann. 339, 1249, 1260
v. International, &c., Co., 68 N. J. Eq. 67, 157
v. Knoxville, &c., Co., 93 Tenn. 708, 608, 609
v. Missouri, &c., R. Co., 94 Mo. 150, 1162
v. Neal, 153 Mass. 281, 1338
v. New York, &c., R. Co., 189 Mass. 361, 1163, 1166
v. Pennsylvania R. Co., 48 App. Div. (N. Y.) 244, 1796
v. Pittsburgh, 18 Pa. St. 187, 976, 1076
v. Railroad Co., 135 Mass. 352, 1689d
v. Rich, 164 Mass. 560, 1342
v. Smith, 82 Tex. 232, 1061
v. State, 202 U. S. 501, 656a
v. Union R. Co., 67 App. Div. (N. Y.) 99, 1096dd
Oconto v. Chicago, &c., R. Co., 44 Wis. 231, 1096ak
Oconto Water Co. v. National, &c., Co., 59 Fed. R. 19, 1069
Ode v. Manhattan, &c., R. Co., 56 Hun (N. Y.) 199, 996
O'Dea v. Michigan Cent. R. Co., 142 Mich. 265, 1689i, 1814
Odell v. New York, &c., R. Co., 120 N. Y. 323, 1311
v. New York, &c., R. Co., 18 App. Div. (N. Y.) 12, 1610
Oderkirk v. Fargo, 58 Hun 347, 1453
v. Fargo, 61 Hun (N. Y.) 418, 1463
Odlin v. Woodruff, 31 Fla. 160, 751
Odom v. St. Louis, &c., R. Co., 45 La. Ann. 1201, 1642
O'Donald v. Evansville, &c., R. Co., 14 Ind. 259, 115
O'Donnell v. Allegheny Valley R. Co., 59 Pa. St. 239, 302, 1268, 1631
v. Atchison, &c., R. Co., 49 Fed. 689, 654
v. Johns & Co., 76 Tex. 362, 51
v. Providence, &c., R. Co., 6 R. I. 211, 1158, 1190, 1264, 1310, 1367
v. Rhode Island Co., 28 R. I. 245, 1799, 1804
v. St. Louis Transit Co., 107 Mo. App. 34, 1816
v. Sweeney, 5 Ala. 467, 381, 382
O'Dougherty v. Boston, &c., R. Co., 1 T. & C. (N. Y.) 477, 1426, 1531
Odum v. Rutledge, &c., Co., 94 Ala. 488, 1053
Oelbermann v. New York, &c., R. Co., (N. Y. Sup. Ct.) 77 Hun 332, 95, 374
v. New York, &c., R. Co., 27 N. Y. Supp. 945, 167, 169
Oelbermann v. New York, &c., R. Co., 7 Misc. 352, 374, 378
O'Flaherty v. Nassau Elec. R. Co., 34 App. Div. (N. Y.) 74, 1817
v. Union R. Co., 45 Mo. 70, 1172, 1262
Offield v. New York, &c., R. Co. (U. S.), 27 Sup. Ct. 72, 101a, 951
Offut v. Columbia Exposition, 175 Ill. 472, 1304
Ogburn v. Connor, 46 Cal. 346, 977
Ogden v. Coddington, 2 E. D. Smith 217, 1692, 1709
v. Daviess Co., 102 U. S. 634, 844, 846, 885, 895, 900, 901
v. Folliott, 3 T. R. 726, 710
v. Kirby, 79 Ill. 555, 117, 124, 851
v. Marshall, 8 N. Y. 340, 1729
Ogden City Ry. Co. v. Ogden City, 7 Utah 207, 6, 1096f
Ogdensburgh, &c., R. Co. v. Frost, 21 Barb. (N. Y.) 541, 18, 103, 150
v. Pratt, 22 Wall. (U. S.) 123, 1435
v. Vermont, &c., R. Co., 63 N. Y. 176, 454
v. Vermont, &c., R. Co., 4 Hun 268, 463, 471
v. Wooley, 3 Abb. Ct. of App. Dec. 398, 106, 110
Ogg v. Shuter, L. R. 1 C. P. Div. 47, 1426
Ogilvie v. Crawford County, 7 Fed. 745, 764
v. Knox Ins. Co., 22 How. (U. S.) 380, 127, 132, 182
Oglesby v. Attrill, 105 U. S. 605, 137, 139, 250, 343
v. Missouri Pac. R. Co., 177 Mo. 272, 1308, 1697
Ogley v. Miles, 139 N. Y. 458, 1283
Ogsden v. Aberdeen, &c., Co., L. R. 1 H. L. 111, 1096ap
O'Hagan v. Dillon, 76 N. Y. 170, 1177
O'Hara v. Lexington, &c., R. Co., 1 Dana (Ky.) 232, 960, 1050
v. New York, &c., R. Co., 92 Hun 56, 1248
v. Pennsylvania R. Co., 25 Pa. St. 445, 933, 1029, 1041
O'Hare v. Chicago, &c., R. Co., 139 Ill. 151, 970, 1030a
v. Cocheco, &c., Co., 71 N. H. 105, 1304
Ohio v. Cleveland, &c., R. Co., 6 Ohio St. 489, 84, 86, 305, 316
Ohio College v. Rosenthal, 45 Ohio St. 183, 86
Ohio, &c., Ins. Co. v. Debolt, 16 How. (U. S.) 115, 746, 768
v. Merchants' Ins., &c., Co., 11 Humph. (Tenn.) 1, 22, 381, 382, 398, 602
v. Nunnemacher, 15 Ind. 294, 320
Ohio Postal Tel. Co. v. Cleveland, &c., R. Co., 8 Ohio N. P. 121, 996b
Ohio Valley R. Co. v. Kerth, 130 Ind. 314, 994, 1036
Ohio, &c., R. Co. v. Allender, 47 Ill. App. 484, 221
v. Allender, 59 Ill. App. 620, 1696
v. Anderson, 10 Ill. App. 313, 576
v. Applewhite, 52 Ind. 540, 200, 1593
v. Bannon, Com. Pleas Ct. of Louisville, Ky., June 20, 1892, 1567
v. Brubaker, 47 Ill. 462, 1190
v. Burrow, 32 Ill. App. 161, 1823

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ohio, &c., R. Co. v. Central Trust Co., 133 U. S. 83, 505, 507, 517
v. Cole, 41 Ind. 331, 1207
v. Collarn, 73 Ind. 261, 200, 226, 1323, 1697
v. Commissioners, 7 Ohio St. 278, 874
v. Cosby, 107 Ind. 32, 1800, 1808
v. Cramer, 23 Ind. 490, 110, 116
v. Craucher, 132 Ind. 275, 1756
v. Crumbo, 4 Ind. App. 456, 1060
v. Cullison, 40 Ill. App. 67, 1689l
v. Davis, 23 Ind. 553, 581
v. Dickerson, 59 Ind. 317, 1234, 1629, 1810, 1815
v. Dunbar, 20 Ill. 623, 473, 1237, 1482, 1492, 1552, 1555
v. Dunn, 138 Ind. 18, 1286, 1292, 1702, 1779
v. Early, 141 Ind. 73, 222, 1390
v. Evans, 42 Ill. 288, 1206
v. Emrich, 24 Ill. App. 245, 1435, 1438, 1450, 1692
v. Engrer, 4 Ind. App. 261, 1761
v. Fitch, 20 Ind. 498, 553, 565, 581, 1208
v. Gibbens, 35 W. Va. 57, 630
v. Hamlin, 42 Ill. App. 441, 1501
v. Harness, 24 W. Va. 511, 1029, 1041
v. Hatton, 60 Ind. 12, 302, 1580
v. Heaton, 137 Ind. 1, 1278
v. Hecht, 115 Ind. 443, 1231, 1696, 1773, 1806, 1808
v. Hill, 117 Ind. 56, 1166
v. Lackey, 78 Ill. 55, 962, 1584
v. Lander, 104 Ky. 431, 1358d
v. Levy, 134 Ind. 343, 218
v. McCarthy, 96 U. S. 258, 303, 340, 341, 423, 1556a
v. McClelland, 25 Ill. 140, 670b, 1102, 1183
v. McDaneld, 5 Ind. App. 108, 1162
v. McGehee, 47 Ill. App. 348, 1148
v. McPherson, 35 Mo. 13, 136, 246, 264, 491
v. Maisch, 29 Ill. App. 640, 1168
v. Morey, 47 Ohio St. 207, 1064
v. Muhling, 30 Ill. 9, 1581, 1604, 1609
v. Neady, 5 Ind. App. 328, 1195
v. Nickless, 71 Ind. 271, 1038, 1605, 1606, 1608
v. Noe, 77 Ill. 513, 1708
v. Pearcy, 128 Ind. 197, 1278
v. People, 29 Ill. App. 561, 668
v. People, 120 Ill. 200, 641, 642, 662, 1056c
v. People, 121 Ill. 483, 1181
v. People, 123 Ill. 467, 26, 28, 322a, 339
v. Quier, 16 Ind. 440, 621
v. Ridge, 5 Blackf. (Ind.) 78, 2
v. Rowland, 51 Ind. 285, 1194
v. Rowland, 50 Ind. 349, 1193, 1195
v. Russell, 115 Ill. 52, 563, 581, 606, 1208
v. Selby, 47 Ind. 471, 213, 1605, 1608, 1645
v. Shanefelt, 47 Ill. 497, 1238
v. Stanberry, 132 Ind. 533, 1590a, 1641
v. State, 49 Ohio St. 668, 242
v. Stein, 133 Ind. 243, 217, 218, 1689l
v. Stein, 140 Ind. 64, 1306
v. Stratton, 78 Ill. 88, 1262, 1628
Ohio, &c., R. Co. v. Swarthout, 67 Ind. 567, 1593, 1596
v. Tabor, 98 Ky. 503, 1499, 1670
v. Thillman, 143 Ill. 127, 937, 980, 1048, 1057
v. Tindall, 13 Ind. 366, 1645
v. Todd (Ky.), 45 Am. & Eng. R. Cas. 461, 1183
v. Trapp, 4 Ind. App. 69, 1240, 1241, 1243
v. Trowbridge, 126 Ind. 391, 1179e, 1264
v. Voight, 122 Ind. 288, 1378a, 1578, 1843
v. Wachter, 123 Ill. 440, 1048, 1056
v. Walker, 113 Ind. 196, 1093, 1153, 1172
v. Wallace, 14 Pa. St. 245, 1041
v. Wangelin, 152 Ill. 138, 1378
v. Watson, 93 Ky. 654, 1629
v. Weber, 96 Ill. 443, 26, 76, 339
v. Wheeler, 1 Black (U. S.) 286, 23, 26, 27, 28, 649, 1371
v. Yohe, 51 Ind. 181, 1393, 1461, 1537, 1715
Ohliger v. Toledo, 10 O. C. D. 762, 1820
Ohrloff v. Briscall, 1 L. R. P. C. 231, 1481, 1516
Oil Co. v. Densmore, 64 Pa. St. 43, 11
Oil Creek, &c., R. Co. v. Clark, 72 Pa. St. 231, 1595
v. Pennsylvania Trans. Co., 83 Pa. St. 160, 353, 369, 372, 373
Oil Run Petroleum Co. v. Gale, 6 W. Va. 525, 556
O'Keefe v. Eighth Ave. R. Co., 33 App. Div. (N. Y.) 940, 1788
v. St. Louis, &c., R. Co., 108 Mo. App. 177, 1157, 1166a
Oklahoma City v. McMasters, 12 Okla. 570, 1003c
Olbers, The Bark, 3 Ben (U. S. C. C.) 148, 1420
Olcott v. Bynum, 17 Wall. (U. S.) 44, 507, 530
v. Headrick, 141 U. S. 543, 526
v. Supervisors, 16 Wall. 678, 2, 33, 673, 768, 814, 835, 892, 916, 918
v. Tioga R. Co., 27 N. Y. 546, 212, 213, 248, 289, 297, 342, 480
v. Tioga R. R. Co., 20 N. Y. 210, 21
Old Colony R. Co. v. Evans, 6 Gray (Mass.) 25, 392, 393, 415, 933, 935
v. Framingham, &c., Co., 153 Mass. 561, 964
v. Miller, 125 Mass. 1, 930, 985, 1006
v. Plymouth Co., 14 Gray (Mass.) 161, 980
v. Tripp, 147 Mass. 35, 202, 1280, 1678
v. Wilder, 137 Mass. 536, 1528, 1530, 1559
Old Colony, &c., R. Co. v. County of Plymouth, 14 Gray (Mass.) 155, 976, 1102, 1103, 1127
Old, &c., S. S. Co. v. McKenna, 30 Fed. 48, 1688
v. Virginia, 198 U. S. 299, 743b, 755
Oldenburg v. New York, &c., R. Co., 124 N. Y. 414, 1157, 1166a, 1179a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Oldfather v. Zent, 14 Ind. App. 89, 1828
Oldfield v. New York, &c., R. Co., 14 N. Y. 310, 1095, 1378a
Oldknow v. Wainright, 2 Burr, 1017, 161
Old National Bank v. Findley, 131 Ind. 225, 1286
Olds Wagon Works v. Benedict, 67 Fed. R. 1, 647
Oldtown, &c., R. Co. v. Veazie, 39 Me. 571, 45, 87, 115
O'Leary, Ex parte, 65 Miss. 180, 664
O'Leary v. Brockton St. R. Co., 177 Mass. 187, 1096cb
v. Brooks El. Co., 7 N. Dak. 554, 1253
Oler v. Baltimore, &c., R. Co., 41 Md. 583, 103, 112, 155
Oleson v. Chicago, &c., R. Co., 38 Minn. 412, 1281
v. Lake Shore, &c., R. Co., 143 Ind. 405, 1165, 1170, 1179, 1702, 1703
Olfermann v. Union Depot R. Co., 125 Mo. 408, 1830
Oliphant v. Woodburn, &c., Co., 63 Iowa 332, 88
Oliphint v. Bank, 60 Ark. 198, 99
Olivaras v. San Antonio, &c., R. Co., 77 S. W. 98, 1257
Olive v. Sabine, &c., R. Co. (Tex.), 33 S. W. 139, 938, 972
Olive Cemetery v. Philadelphia, 93 Pa. St. 129, 781
Olive, &c., R. Co. v. Russell, 115 Ill. 52, 1186
Oliver v. Chicago, &c., R. Co., 17 Ill. 587, 625
v. Columbia, &c., R. Co., 65 S. Car. 1, 1689i, 1798
v. Denver Tramway Co., 13 Colo. App. 543, 1096cq
v. Houghton County St. R. Co., 138 Mich. 242, 1096bv
v. Iowa Cent. R. Co., 122 Ia. 217, 1172
v. Keightley, 24 Ind. 514, 850
v. Memphis, &c., Co., 30 Ark. 128, 746
v. Northeastern Railroad Co., L. R. 9 Q. B. 409, 1107, 1176
v. Pittsburgh, &c., R. Co., 131 Pa. St. 408, 1003, 1049
v. Union, &c., R. Co., 83 Ga. 257, 1050, 1051, 1053
Olivier v. Houghton County St. R. Co., 134 Mich. 367, 1361a
v. Louisville, &c., R. Co., 43 La. Ann. 804, 1630a
Olliver's Estate, 136 Pa. St. 43, 307
Olmstead v. Camp, 33 Conn. 532, 952
v. Distilling, &c., Co., 67 Fed. R. 24, 556, 561
v. Oregon, &c., R. Co., 27 Utah 515, 1245a
Olney v. Chadsey, 7 R. I. 224, 266
v. Conanicut, &c., Co., 16 R. I. 597, 604
Olsen v. Andrews, 168 Mass. 261, 1298, 1301a, 1303a
v. Minneapolis, &c., R. Co., 76 Minn. 149, 1303
v. North Pac. R. Co., 100 Fed. 384, 1280
v. Oregon, &c., R. Co., 9 Utah 129, 1168
Olson v. Chicago, &c., R. Co., 81 Wis. 41, 1163, 1167
v. Chicago, &c., R. Co., 94 Minn. 241, 1799
v. St. Paul, &c., R. Co., 38 Minn. 117, 1269, 1282, 1289, 1298
Olwell v. Adams Exp. Co., 1 Cent. L. J. 186, 1504
Olyphant v. St. Louis, &c., Co., 22 Fed. R. 179, 528
Omaha v. Kramer, 25 Neb. 489, 978
Omaha Bridge & Term. Co. v. Reed, 69 Neb. 514, 1003, 1053, 1053a
v. Whitney, 68 Neb. 389, 949
v. Whitney, 99 N. W. 525, 998
Omaha Fair Association v. Missouri Pacific R. Co., 42 Neb. 105, 1238
Omaha Horse Co. v. Doolittle, 7 Neb. 481, 1096cp
Omaha St. R. Co. v. Boesen, 68 Neb. 437, 1583
v. Boesen, 105 N. W. 303, 1585, 1689g
v. Duvall, 40 Neb. 29, 1096ce, 1096cn
v. Emminger, 57 Neb. 240, 1815
v. Niathieran (Neb.), 103 N. W. 666, 1096br
Omaha Water Co. v. Omaha, 147 Fed. 1, 525a
v. Schamel, 147 Fed. 502, 1378a
Omaha, &c., R. Co. v. Beeson, 36 Neb. 361, 1040, 1783
v. Brady, 37 Neb. 27, 1156, 1157, 1176
v. Brown, 14 Neb. 170, 977
v. Brown, 16 Neb. 161, 1057d
v. Cable, &c., R. Co., 32 Fed. 727, 978, 1083, 1096z, 1135
v. Cable, &c., R. Co., 30 Fed. 324, 39, 1080, 1083, 1096s, 1096t, 1096v
v. Cameron, 43 Neb. 297, 1093, 1094, 1096aq, 1096ci
v. Cook, 37 Neb. 435, 1257
v. Cook, 42 Neb. 905, 1257
v. Crow, 54 Neb. 747, 1689c
v. Crow (Neb.), 66 N. W. 21, 1605, 1606, 1629, 1642
v. Duvall, 40 Neb. 29, 1093, 1095
v. Gerrard, 17 Neb. 587, 933
v. Hale (Neb.), 63 N. W. 849, 710, 713
v. Janecek, 30 Neb. 276, 978, 1086
v. McDermott, 25 Neb. 714, 994
v. Martin, 14 Neb. 295, 1256
v. Menk, 4 Neb. 21, 1041, 1042
v. Morgan, 40 Neb. 604, 1172 1261
v. O'Donnell, 22 Neb. 475, 1155
v. Rickards, 38 Neb. 847, 1029
v. Rogers, 16 Neb. 117, 1087
v. Ryburn, 40 Neb. 87, 1176, 1812, 1828
v. Severin, 30 Neb. 318, 1142, 1144, 1146, 1193, 1198
v. Standen, 22 Neb. 343, 977
v. Umstead, 17 Neb. 459, 1035
v. Wabash, &c., R. Co., 108 Mo. 298, 497
v. Walker, 17 Neb. 432, 1035, 1035a, 1039, 1049
v. Wright (Neb.), 66 N. W. 842, 1205
v. Wright, 47 Neb. 886, 1697

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Omaha, &c., Co. v. Chollette, 41 Neb. 578, 218
O'Mahoney v. Belmont, 62 N. Y. 133, 562, 575
v. Belmont, 5 J. & S. (N. Y.) 380, 553
O'Maley v. South Boston, &c., R. Co., 158 Mass. 135, 1288a, 1343, 1345, 1358
O'Malley v. Missouri, &c., R. Co., 113 Mo. 319, 1702
v. Great Northern R. Co., 86 Minn. 380, 1510
v. St. Paul, &c., R. Co., 43 Minn. 289, 1259
Oman v. Bedford, &c., Stone Co., 134 Fed. 64, 385
O'Mara v. Delaware, &c., Canal Co., 18 Hun (N. Y.) 192, 1169
v. Hudson River, &c., R. Co., 38 N. Y. 445, 1114, 1156
v. St. Louis Transit Co., 102 Mo. App. 202, 1578b, 1840
O'Mellia v. Kansas City, &c., R. Co., 115 Mo. 205, 1278
Omnibus R. Co. v. Baldwin, 57 Cal. 160, 1083, 1096ac
Omslaer v. Traction Co., 168 Pa. St. 519, 1096bq
One Hundred and Sixty-Third St., In re, 131 N. Y. 569, 1041
One Hundred, &c., Tons of Coal, 9 Ben. (U. S. C. C.) 400, 1558
One Hundred, &c., Tons of Coal, 4 Blatchf. (U. S.) 368, 1572
O'Neal v. Chicago, &c., R. Co., 132 Ind. 110, 1269, 1285, 1288, 1296
v. Day, 53 Mo. App. 139, 1543
v. King, 3 Jones (N. C.) 517, 386
O'Neil v. Behanna, 182 Pa. St. 236, 633
v. Dry Dock, &c., Co., 129 N. Y. 125, 1093, 1094, 1096aq, 1096cl, 1155
v. Great Northern R. Co., 80 Minn. 27, 1318a
v. Lake Superior Iron Co., 63 Mich. 690, 1384
v. O'Leary, 164 Mass. 387, 1286
v. Pittsburgh, &c., R. Co., 130 Fed. 204, 1298, 1315e, 1332
v. Vermont, 144 U. S. 323, 1665
O'Neill v. Dry Dock, &c., R. Co., 36 N. Y. St. 934, 1815
v. Garrett, 6 Ia. 480, 1539a
v. Lynn, &c., R. Co., 155 Mass. 371, 200, 1788
v. New York, &c., Co., 115 N. Y. 579, 1226, 1231, 1799
v. New York R. Co., 115 N. Y. 583, 1244
v. New York, &c., R. Co., 60 N. Y. 138, 1404, 1409, 1462, 1692
Onken v. Riley 65 Tex. 468, 1047
Onset St. R. Co. v. Plymouth Co. Comrs., 154 Mass. 395, 1088, 1096d
Onstott v. People, 123 Ill. 489, 836
Ontario v. Hill, 99 N. Y. 324, 900
Ontario Bank v. Hanlon, 23 Hun (N. Y.), 283, 1430
v. New Jersey Steamboat Co., 59 N. Y. 510, 1426, 1524
Ontario, &c., R. Co., In re, 6 Ont. 338, 991, 996
Ontario, &c., R. Co. v. Canadian Pac. R. Co., 14 Ont. 432, 1056
Onthank v. Lake Shore, &c., R. Co., 71 N. Y. 194, 938
Opdyke v. Pacific R. R. Co., 3 Dill. (U. S.) 55, 481
Opelika v. Daniel, 59 Ala. 211, 814
Opelousas, &c., R. Co. v. Bradford, 43 So. 79, 1053
Opening of Twenty-second Street, In re, 15 Phila. 409, 964
Opinion of Justice, 66 N. H. 630, 59
Oppenheim v. Russell, 3 Bos. & P. 42, 1539, 1570
Oppenheimer v. United States, &c., Co., 69 Ill. 62, 1454, 1491, 1501, 1510
Opsahl v. Judd, 30 Minn. 126, 1378a
Orange Co. Bank v. Brown, 9 Wend. 85, 1491, 1647
Orange Bank v. Brown, 3 Wend. (N. Y.) 158, 1693
Orange, &c., Co. v. Alexandria, 17 Gratt. 176, 737, 744
Orange, &c., R. Co. v. Craver, 32 Fla. 28, 1012, 1042
v. Placide, 35 Md. 315, 1058, 1060
v. Ward, 47 N. J. L. 560, 1096aq
Orchard v. Hughes, 1 Wall. (U. S.) 73, 517
Orcutt v. Pacific Coast R. Co., 85 Cal. 291, 1159, 1209
O'Regan v. Cunard, &c., Co., 160 Mass. 356, 1507
Oregon v. Jennings, 119 U. S. 74, 883, 899
Oregon Imp. Co. v. Roach, 117 N. Y. 527, 1062
Oregon R. & Nav. Co. v. Oregonian R. Co., 130 U. S. 1, 38, 39, 67, 70, 340, 358, 370, 378, 385, 430, 432, 434, 444, 454, 1096ad, 1096s
Oregon R., &c., Co. v. Oregon, &c., Co., 10 Ore. 444, 1027
v. Skottowe, 162 U. S. 490, 649, 652
Oregon, &c., Navigation Co. v. Winsor, 20 Wall. 64, 388, 1675
Oregon, &c., R. Co. v. Baily, 3 Ore. 164, 957, 964, 974, 1014, 1037, 1052
v. Barlow, 3 Ore. 311, 985, 996, 1005, 1035, 1035a, 1049
v. Bridwell, 11 Ore. 282, 1033, 1042, 1045, 1046a
v. Dacres, 1 Wash. 195, 1217
v. Egley, 2 Wash. 409, 1261
v. Fox, 28 Utah, 311, 981, 990a
v. Frost, 74 Fed. 965, 1328, 1689h
v. Huwaco, &c., Co., 51 Fed. R. 611, 1521, 1551
v. Mosier, 14 Ore. 519, 998
v. Northern, &c., R. Co., 51 Fed. R. 465, 1395, 1449, 1451, 1681
v. Northern Pac. R. Co., 61 Fed. 158, 1558
v. Oregon, &c., Co., 10 Ore. 444, 933, 972, 1027
v. Oregonian R. Co., 145 U. S. 52, 430, 454
v. Owsley, 3 Wash. Ter. 38, 970
v. Portland, 9 Ore. 281, 965
v. Postal Tel., &c., Co., 111 Fed. 842, 957, 966
v. Scoggin, 3 Ore. 161, 102, 127
v. Smally, 1 Wash. 206, 665, 1183, 1217, 1223
v. Tracy, 66 Fed. R. 931, 1269
v. United States, 67 Fed. 650, 797, 798
v. United States, 190 U. S. 186, 798, 799
v. Wait, 3 Ore. 91, 987, 1051
Oregon, &c., Co. v. Lane Co., 23 Ore. 386, 771
v. Portland, 25 Ore. 229, 782

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Oregonian R. Co. v. Hill, 9 Ore. 377, 925, 986, 1027, 1045
v. Oregon R., &c., Co., 23 Fed. R. 232, 190, 616
O'Reiley v. Kankakee, &c., Co., 32 Ind. 169, 18, 952
O'Reilly v. Bard, 105 Pa. St. 569, 148, 185
v. Brooklyn Heights R. Co., 89 N. Y. S. 41, 1096bl
v. Brooklyn, &c., R. Co., 179 N. Y. 450, 1096db
v. Kerns, 52 Pa. St. 214, 1059
v. Kingston, 114 N. Y. 439, 787, 787a
v. New York, &c., R. Co., 16 R. I. 388, 1366
v. Utah, &c., R. Co., 87 Hun, 406, 1360
Orendorff v. Terminal Ass'n, 116 Mo. App. 348, 1355
Orgall v. Burlington, &c., R. Co., 46 Neb. 4, 1359
Organ v. Memphis, &c., R. Co., 51 Ark. 235, 401, 629, 948, 1048
Orient Ins. Co. v. Northern Pac. R. Co., 31 Mont. 502, 1771
Orient Mutual Ins. Co., In re, 66 Hun (N. Y.), 633, 584
Orient Mut. Ins. Co. v. Adams, 123 U. S. 67, 1509
Oriflamme, The, 1 Sawyer, 176, 1420
Orleans v. Platt, 99 U. S. 676, 894, 898
Orleans, &c., R. Co. v. Jefferson, &c., R. Co., 51 La. Ann. 1605, 1084
Orman v. Mannix, 17 Colo. 564, 1329
Ormond v. Hayes, 60 Tex. 180, 1592
v. Holland, El. Bl. & El. 102, 1284
Ormsby v. Louisville, 79 Ky. 197, 771
v. Union Pac. R. Co., 2 McCrary, 48, 1512
v. Union Pac. R. Co., 4 Fed. R. 706, 1511, 1512
v. Vermont, &c., Co., 56 N. Y. 623, 152, 154, 164
Orndorf v. Adams Ex. Co., 3 Bush (Ky.), 194, 1501, 1510
O'Rourke v. Chicago, &c., R. Co., 44 Iowa, 526, 1491, 1535
v. Citizens' St. R. Co., 103 Tenn. 124, 1096da, 1593
v. Lidell, &c., R. Co., 142 Mo. 342, 1096ck
O'Rorke v. Union, &c., R. Co., 22 Fed. 189, 1298a
Oroville, &c., R. Co. v. Supervisor, 37 Cal. 354, 20, 52, 874
Orphan Asylum v. McCartee, 1 Hopk. Ch. (N. Y.) 423, 540
Orr v. Bracken County, 81 Ky. 593, 43, 59
v. Cedar Rapids, &c., R. Co. (Iowa) 62 N. W. 851, 1095
v. Cedar Rapids, &c., R. Co., 94 Ia. 423, 1096cq
v. Quimby, 54 N. H. 590, 925, 950, 986
Orrick School District v. Dorton, 125 Mo. 489, 957
Orth v. St. Paul, &c., R. Co., 43 Minn. 208, 1766
Ortigosa v. Brown, 47 L. J. Ch. 168, 97
Ortman v. Union, &c., R. Co., 32 Kan. 419, 1042, 1053
Ortt v. Minneapolis, &c., R. Co., 36 Minn. 396, 1435, 1438, 1694
Orvis v. Powell, 98 U. S. 176, 702
Oryuski v. Loustaunan (Tex.), 15 S. W. 674, 105
Osage Valley, &c., R. Co. v. County Ct., 53 Mo. 156, 874, 917
Osborn v. Adams, 18 Pick. (Mass.) 245, 599
v. Crosby, 63 N. H. 583, 109
v. Bank, 9 Wheat. 737, 673, 675
v. Hart, 24 Wis. 89, 952
v. Hartford, &c., Co., 40 Conn. 498, 750
v. Heyer, 2 Paige, 342, 548
v. New York, &c., 40 Conn. 491, 744
v. People, 103 Ill. 224, 405
Osborne v. Detroit, 32 Fed. R. 36, 1700
v. Florida, 164 U. S. 650, 759, 762
v. Jackson, L. R. 11 Q. B. D. 619, 1352, 1353
v. Jersey City, &c., R. Co., 27 Hun (N. Y.), 589, 1099, 1101, 1105
v. Knox, &c., R. Co., 68 Me. 49, 215, 1305
v. Lehigh, &c., Co., 97 Wis. 27, 1301a
v. McMasters, 40 Minn. 103, 1589
v. Missouri Pacific R. Co., 147 U. S. 248, 630, 1096
v. Missouri Pac. R. Co., 35 Fed. R. 84, 629
v. Mobile, 16 Wall. 479, 756, 764, 1665
v. Monks (Ky.), 21 S. W. 101, 535
v. Morgan, 130 Mass. 102, 1338
v. Schutt, 67 Mo. 712, 1019
v. State, 33 Fla. 162, 753
Oscanyan v. Arms Co., 103 U. S. 261, 387, 1663
Osgood v. Central Vermont R. Co., 77 Vt. 334, 1236
v. Groning, 2 Campl. 466, 1473
v. King, 42 Iowa, 478, 91, 110, 111
v. Laytin, 48 Barb. (N. Y.) 463, 315
v. Laytin, 3 Keyes (N. Y.), 521, 315
v. Lynn, &c., R. Co., 130 Mass. 492, 1096cb
v. Ogden, 4 Keyes (N. Y.), 70, 569
O'Shields v. Georgia, &c., R. Co., 83 Ga. 621, 1373
Oshkosh v. Milwaukee, &c., R. C., 74 Wis. 534, 637, 639, 699, 1092, 1096aj, 1106
Oshkosh, &c., Co., Re, 77 Wis. 366, 165
Oshkosh, &c., R. Co. v. Winnebago Co., 89 Wis. 435, 783, 787, 787a
Oskaloosa St. R. Co. v. Oskaloosa, 99 Ia. 496, 1096am
Oskamp v. Express Co., 61 Ohio St. 341, 1526, 1526a
Ossipee, &c., Mfg. Co. v. Canney, 54 N. H. 295, 351, 392
Osterberg v. Union Trust Co., 93 U. S. 424, 525
Osterhoudt v. Southern Pac. R. Co., 47 App. Div. (N. Y.) 146, 1512
Ostertag v. Pacific, &c., R. Co., 64 Mo. 421, 1261
Osteryoung v. St. Louis Transit Co., 108 Mo. App. 703, 1836
Ostrander v. Brown, 15 Johns. (N. Y.) 39, 1519, 1520, 1524, 1527, 1533
Oswald v. Minneapolis, &c., Co., 65 Minn. 249, 127

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Oswego Falls B. Co. v. Fish, 1 Barb. Ch. 547, 32
Otis, In re, 101 N. Y. 580, 582
Otis v. Gardner, 105 Ill. 436, 97
v. Pennsylvania Co., 71 Fed. R. 136, 1383, 1384
Otis Company v. Missouri Pac. R. Co., 112 Mo. 622, 1404, 1711
Otoe County v. Baldwin, 111 U. S. 1, 843
O'Toole v. Central Park, &c., R. Co., 35 N. Y. S. 591, 1589
v. Pittsburgh, &c., R. Co., 158 Pa. St. 99, 1096ck, 1174, 1178, 1628
Ottaquechee Woolen Co. v. Newton, 57 Vt. 451, 51
Ottawa v. Carey, 108 U. S. 110, 839, 876, 895
v. McCaleb, 81 Ill. 559, 736
v. Nat. Bank, 105 U. S. 842, 898
v. People, 48 Ill. 233, 1678
Ottawa, &c., R. Co. v. Black, 79 Ill. 262, 103, 327, 328, 473, 913
v. Hall, 1 Bradw. (Ill.) 612, 114
v. Murray, 15 Ill. 336, 492
Ottentot v. New York, &c., R. Co., 119 N. Y. 603, 1096d
Otter v. Brevoort, &c., Co., 50 Barb. (N. Y.) 247, 91, 95
Ottinger v. Southern, &c., R. Co., 1 Interst. Com. Com. 144, 1684
Ottumwa, &c., R. Co. v. McWilliams, 71 Iowa, 164, 419, 422, 934, 935, 938
Ouimit v. Henshaw, 35 Vt. 605, 1406, 1464, 1647, 1648, 1652, 1659
Over v. Lake Erie, &c., R. Co., 63 Fed. R. 34, 647
Overby v. Chesapeake, &c., R. Co., 37 W. Va. 524, 1702
Overcash v. Charlotte Elec. R., &c., Co., 57 S. E. 377, 1842
Overend v. Gibb, L. R. 5 H. L. 480, 280
v. Gurney, L. R. 4 Ch. 701, 280
Overholt v. Vieths, 93 Mo. 422, 1259, 1378a
Overland Express Co. v. Carroll, 7 Colo. 43, 1401, 1497, 1502, 1510
Overman v. May, 35 Iowa, 89, 1085
Overmyer v. Williams, 15 Ohio St. 26, 390, 393
Overton v. Freeman, 11 C. B. 868, 1096ar
v. Memphis, &c., R. Co., 10 Fed. R. 866, 539, 540, 546, 549, 586
Overton Bridge Co. v. Means, 33 Neb. 857, 520
Overtoom v. Chicago, &c., R. Co., 181 Ill. 323, 1792
Oviatt v. Dakota, &c., R. Co., 43 Minn. 300, 1573, 1585, 1588, 1629
Owazarzak v. Gulf, &c., R. Co., 31 Tex. Civ. App. 229, 1141, 1142
Owen v. Brockschmidt, 54 Mo. 285, 1376
v. Burlington, &c., R. Co., 11 S. Dak. 153, 1570
v. Great Western, &c., R. Co., 46 L. J. Q. B. 486, 1590
v. Homan, 4 H. L. Cas. 997, 540
v. Homan, 3 Macn. & G. 378, 540
v. Louisville, &c., R. Co., 87 Ky. 626, 1311, 1512, 1521, 1551, 1552, 1670
v. Louisville, &c., R. Co., 83 Mo. 454, 1563
Owen v. New York, &c., R. Co., 1 Lans. (N. Y.) 108, 1271
v. Phillips, 73 Ind. 284, 631
v. St. Louis, &c., R. Co., 83 Mo. 454, 1566
v. St. Paul, &c., R. Co., 12 Wash. 313, 1049
v. Smith, 31 Barb. 641, 426
v. Washington R. Co., 29 Wash. 207, 1641
Owen Sound S. S. Co. v. Canadian Pac. R. Co., 17 Ont. 691, 372
Owensboro City R. Co. v. Hill (Ky.), 56 S. W. 21, 1096cq
Owens v. Baltimore, &c., R. Co., 35 Fed. 715, 1382, 1804
v. Hannibal, &c., R. Co., 58 Mo. 386, 1204, 1205, 1206
v. Kansas City, &c., R. Co., 95 Mo. 169, 1806, 1841
v. Macon, &c., R. Co., 119 Ga. 230, 1577
v. Missouri Pac. R. Co., 67 Tex. 679, 977
v. Pennsylvania R. Co., 41 Fed. 187, 1150, 1154, 1166, 1179b, 1252
v. Peoples, &c., R. Co., 155 Pa. St. 334, 1096cg, 1096ce, 1096dd
v. Richmond, &c., R. Co., 88 N. C. 502, 1163, 1313
v. San Pedro, &c., R. Co., 89 Utah, 825, 1333a
Owensboro v. Owensboro, &c., R. Co. (Ky.), 40 S. W. 916, 1081
v. Lydane, 19 Ky. L. 698, 1096cn
Owensboro National Bank v. Owensboro, 173 U. S. 664, 741a
Owensboro, &c., R. Co. v. Barclay, 102 Ky. 16, 1360
v. Griffith, 92 Ky. 137, 362
v. Todd, 91 Ky. 175, 668
v. Sutton (Ky.), 13 S. W. 1086, 1076
Owings v. Speed, 5 Wheat. 420, 266
Owmsbee v. Boston, &c., R. Co., 14 R. I. 102, 1166
Owners of Brig James Gray v. Owners, &c., 21 How. 184, 1668
Owners of Steamboat Farmer v. McCraw, 26 Ala. 189, 1692
Owsley v. Montgomery, &c., R. Co., 37 Ala. 560, 709
Oxanna v. Allen, 90 Ala. 468, 1082a
Oxford, &c., Co. v. Bunnel, 6 Conn. 552, 98
Oxford Iron Co. v. Spradley, 42 Ala. 24, 622
v. Spradley, 51 Ala. 171, 350
Oxlade v. Northeastern, &c., R. Co., 1 C. B. (N. S.) 454, 1678, 1687
v. Northeastern, &c., R. Co., 1 Nev. & MacN. R. Cas. 72, 1467
v. Northeastern, &c., R. Co., 9 C. B. (N. S.) 896, 1393
v. Northeastern, &c., R. Co., 15 C. B. (N. S.) 680, 303, 1465
Oxley v. St. Louis, &c., R. Co., 65 Mo. 629, 1512, 1548, 1693
Oyler v. Quincy, &c., R. Co., 113 Mo. App. 375, 1190
Oyster v. Burlington Co., 65 Neb. 789, 1387
Ozanne v. Illinois Cent. R. Co., 151 Fed. 900, 1588, 1625

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

P.

Pacific Coast, &c., Co. v. Board of Railroad Com'rs, 18 Fed. 11, 1358e
Pacific Elec. R. Co. v. Los Angeles, 194 U. S. 112, 1096k
Pacific Exp. Co. v. Black, 8 Tex. Civ. App. 363, 1403
v. Darnell, 62 Tex. 639, 1712
v. Darnell (Tex.), 6 S. W. 765, 1512
v. Dunn, 81 Tex. 85, 1241
v. Foley, 46 Kan. 457, 1500, 1506
v. Lasker, &c., 81 Tex. 81, 1239
v. Needham, 83 S. W. 22, 1706
v. Seibert, 142 U. S. 339, 690, 740, 776, 780
v. Seibert, 44 Fed. R. 310, 1401
v. Shearer, 160 Ill. 215, 1523, 1526, 1526a, 1535
v. Wallace, 60 Ark. 100, 1425
Pacific Fruit Co. v. Coon (Cal.), 40 Pac. 542, 87, 176
Pacific Imp. Co. v. Clarksdale, 74 Fed. 528, 823a, 849
Pacific National Bank v. Pierce Co., 20 Wash. 675, 741
Pacific Postal Tel. Co. v. Western Union Tel. Co., 50 Fed. R. 493, 388
Pacific R. Commission, In re, 32 Fed. R. 217, 675, 677
Pacific R. Co. v. Leavenworth City, 1 Dill. (U. S. C. C.) 393, 1096l
v. McDonald, 152 U. S. 262, 1259
v. Renshaw, 18 Mo. 210, 325
v. Seeley, 45 Mo. 212, 392, 395
v. Wade, 91 Cal. 449, 1096au
Pacific Railroad Removal Cases, 115 U. S. 1, 650, 652, 673
Pacific Rolling Mill v. Dayton, &c., R. Co., 5 Fed. R. 852, 491
Pacific Trust Co. v. Dorsey, 72 Cal. 55, 110
Pacific, &c., Co. v. Maguire, 20 Wall. 36, 746, 768
Pacific, &c., R. Co. v. Board of Railroad Com., 9 Sawyer, 253, 690
v. Board of Railroad Com., 18 Fed. R. 10, 689, 1666, 1671
v. Chrystal, 25 Mo. 544, 988, 996
v. Cutting, Jr., 27 Fed. R. 638, 315
v. Evans, 71 Tex. 361, 1637
v. Foley, 46 Kan. 457, 1510
v. Hughes, 22 Mo. 291, 45, 252
v. Ketchum, 101 U. S. 289, 516, 529, 535, 552
v. Lasker Real Estate Assn., 81 Tex. 81, 1239
v. Leavenworth City, 1 Dillon (U. S. C. C.), 393, 1077, 1081
v. Missouri Pac. Ry. Co., 1 McCrary, 647, 552
v. Missouri Pacific R. Co., 15 Am. R. W. R. 80, 552
v. Missouri Pac. R. Co., 2 McCrary (U. S.), 227, 620
v. Missouri Pac. R. Co., 23 Fed. R. 565, 649
v. Perkins, 36 Neb. 456, 24
v. Porter, 74 Cal. 261, 996, 1042
v. Renshaw, 18 Mo. 210, 45, 56, 886
v. Seely, 45 Mo. 212, 38, 121, 275, 276, 362, 374, 386, 390, 928, 941
v. Smith (Tex.), 16 S. W. 998, 1239
Pacific, &c., R. Co. v. Thomas, 19 Kan. 256, 222, 228, 298
v. Wade, 91 Cal. 449, 922, 1084
Pack v. Chesapeake, &c., R. Co., 5 W. Va. 118, 1010
Packard v. Bergen, &c., Co., 54 N. J. Law, 553, 987, 1042
v. Board, &c., 2 Colo. 338, 859a
v. Getman, 6 Cow. (N. Y.) 757, 1403, 1410, 1462, 1464
v. Jefferson County, 2 Colo. 388, 850
v. Old Colony R. Co., 168 Mass. 92, 606
v. Taylor, 35 Ark. 402, 1441, 1453, 1454, 1455, 1457
Packer v. Sunbury, &c., R. R. Co., 19 Pa. St. 211, 39
Packet Co. v. Cattlesburg, 105 U. S. 559, 658
v. Keokuk, 95 U. S. 80, 1358d, 1358e
v. McCue, 17 Wall. 553, 1317
v. Smith, 23 Md. 402, 1647
Packwood v. Kittitas Co., 15 Wash. 88, 879
Paddock v. Atchison, &c., R. Co., 37 Fed. R. 481, 1621, 1823
v. Fletcher, 42 Vt. 389, 13, 279, 1637
v. Missouri Pac. R. Co., 1 Mo. App. 87, 1550
Padgitt v. Moll, 159 Mo. 143, 1578a
Paducah Land, &c., R. Co. v. Mulholland, 15 Ky. Law, 22, 12
Paducah, &c., R. Co. v. Commonwealth, 80 Ky. 147, 718, 719, 1096al, 1099, 1102, 1105, 1112
v. Hoehl, 12 Bush (Ky.), 41, 1161, 1261, 1313
v. Parks, 86 Tenn. 554, 111, 119, 120
v. Stovall, 12 Heisk. (Tenn.) 1, 987, 990, 992, 1001, 1025
v. Walsh, 58 S. W. 431, 1096cy
Page v. Allen, 58 Pa. St. 338, 815
v. Chicago, 60 Ill. 441, 787
v. Chicago, &c., R. Co., 70 Ill. 324, 989, 995
v. Chicago, &c., R. Co., 7 S. Dak. 297, 1434, 1435, 1437
v. Contoocook Valley R. Co., 21 N. H. 438, 173
v. Delaware, &c., R. Co., 4 Int. C. C. 525, 1678a
v. Delaware, &c., R. Co., 6 I. C. C. 548, 1678a
v. Fall River, &c., R. Co., 31 Fed. R. 257, 292, 492
v. Great Western, &c., R. Co., 24 L. T. 585, 1200
v. Heineberg, 40 Vt. 81, 392, 396, 933, 938
v. Louisville, &c., R. Co., 129 Ala. 232, 641
v. Munro, 1 Holmes (U. S. C. C.), 232, 1558, 1709
v. North Carolina R. Co., 71 N. Car. 222, 1211
v. O'Toole, 144 Mass. 303, 972
v. Sandusky, &c., R. Co., 2 Ohio Dec. 716, 1706
v. Sumpter, 53 Wis. 652, 1218
Pagels v. Oaks, 64 Iowa, 198, 1054
Pahlan v. Detroit, &c., R. Co., 122 Mich. 233, 1288
Paige v. Schenectady R. Co., 77 App. Div. (N. Y.) 571, 1049a
v. Schenectady R. Co., 178 N. Y. 102, 1096j

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Paige v. Smith, 99 Mass. 395, 572, 573, 576, 577, 1341, 1393
Paine v. Boston, 4 Allen (Mass.), 168, 1036
v. Eastern R. Co., 91 Wis. 340, 1278, 1296, 1314
v. Lake Erie, &c., R. Co., 31 Ind. 283, 27, 274, 275, 329, 1058
v. Lehigh Valley R. Co., 7 Int. C. C. 218, 1678a
v. Stewart, 33 Conn. 516, 188
v. Wright, 6 McLean, 359, 742
Painsville, &c., R. Co. v. King, 17 Ohio St. 534, 86, 316, 317, 321, 634
Painter v. London, &c., R. Co., 2 C. B. (N. S.) 792, 1684
Pakalinski v. New York, &c., R. Co., 82 N. Y. 424, 1157, 1158, 1162, 1168
Paland v. Chicago, &c., R. Co., 44 La. Ann. 1003, 1290, 1314
Palatka, &c., R. Co. v. State, 23 Fla. 546, 1092, 1096, 1099, 1105
Palliser, In re, 136 U. S. 257, 1688
Palmer, The Hettie, 63 Fed. R. 1015, 1520
Palmer v. Atchison, &c., R. Co., 101 Cal. 187, 1449, 1494, 1506, 1555, 1694, 1712
v. Chicago, &c., R. Co., 112 Ind. 250, 1152, 1153, 1175, 1248, 1257, 1702
v. Chicago, &c., R. Co., 56 Conn. 137, 1435, 1440
v. Clark, 4 Abb. N. C. (N. Y.) 25, 548
v. Clement, 49 Mich. 45, 1047
v. Conant, 58 Hun (N. Y.), 333, 1808
v. Conly, 4 Den. (N. Y.) 374, 714
v. Delaware, &c., R. Co., 46 Hun, 486, 1583
v. Delaware, &c., Co., 120 N. Y. 170, 1096cu, 1585
v. Detroit, &c., R. Co., 56 Mich. 1, 1163
v. Forbes, 23 Ill. 237, 31, 389, 494, 498
v. Forsyth, 4 Barn. & C. 401, 1054
v. Grand Junction, &c., R. Co., 4 M. & W. 749, 1392, 1393, 1395, 1545
v. Great Western Railway Co., L. R. 6 C. P. 194, 1677
v. Lawrence, 3 Sandf. (N. Y.) 161, 18
v. London, &c., R. Co., 6 C. P. 194, 1677
v. London, &c., R. Co., L. R. 1 C. P. 588, 1678, 1691
v. McMahon, 133 U. S. 660, 771
v. Michigan, &c., R. Co., 93 Mich. 363, 1318, 1324
v. Missouri Pac. R. Co., 76 Mo. 217, 1231
v. New York, &c., R. Co., 112 N. Y. 234, 1157, 1369
v. Pennsylvania Co., 111 N. Y. 488, 1584, 1628b
v. Railroad Co., 3 S. Car. 580, 1595, 1602
v. Railway Co., 76 Mo. 217, 1245a
v. St. Paul, &c., R. Co., 38 Minn. 415, 1206
v. Stumph, 29 Ind. 329, 781
v. Utah, &c., R. Co., 2 Idaho, 350, 473, 1316
Palmer v. Utah, &c., R. Co., 2 Idaho, 290, 431, 1017, 1326
v. Warren St. R. Co., 206 Pa. St. 574, 1583
v. Winona, &c., R. Co., 78 Minn. 138, 1644
v. Winona, &c., R. Co., 83 Minn. 85, 1812
v. Woodbury, 14 Cal. 43, 644
Palmer & Hungerford Market Co., Matter of, 9 Ad. & El. 463, 1025
Palmer & London, &c., R. Co., In re, L. R. 1 C. P. 588, 1466
Palmer Brick Co. v. Chenall, 119 Ga. 837, 1689g
Palmeri v. Manhattan, &c., R. Co., 133 N. Y. 261, 1265, 1638
Palmeter v. Wagner, &c., Co., 11 Alb. L. J. 149, 1622
Palmyra v. Morton, 25 Mo. 593, 192, 781, 782
Palo Alto v. Pacific Postal, &c., Co., 103 Fed. 841, 1802
Palys v. Erie R. Co., 30 N. J. Eq. 604, 1165
v. Jewett, 32 N. J. Eq. 302, 571
Pana v. Bowler, 107 U. S. 529, 899, 901, 902
v. Lippincott, 2 Brad. (Ill.) 466, 850
Panama R. Co. v. Johnson, 63 Hun, 629, 734
Panama, &c., Royal Mail Co., In re, L. R. 5 Ch. 318, 497
Panghorn v. Citizens', &c., Assn., 35 N. J. Eq. 341, 278
Pankey v. Richmond, &c., R. Co., 3 Interst. Com. 33, 1440
Panly v. State Loan & Trust Co., 165 U. S. 606, 92
Pannell v. Louisville, &c., Co., 113 Ky. 630, 1684c
v. Nashville, &c., R. Co., 97 Ala. 298, 1169
Pantam v. Isham, 1 Salk. 19, 1221
Panton v. Holland, 17 Johns. 92, 1774
Palo, &c., R. Co. v. Commissioners, 16 Kan. 302, 262, 873
Paoline v. J. W. Bishop, 25 R. I. 298, 1283
Paolino v. McKendall, 24 R. I. 432, 1259
Pape v. New York, &c., R. Co., 74 App. Div. (N. Y.) 175, 1049a
Papke v. G. H. Hammond Co., 192 Ill. 631, 1377, 1696
Pappenheim v. Metropolitan, &c., Railroad, 128 N. Y. 463, 1001
Paquet v. Mt. Tabor St. R. Co., 18 Ore. 233, 630, 1085
Paquin v. St. Louis, &c., R. Co., 90 Mo. App. 118, 1808
v. Wisconsin Cent. R. Co., 108 N. W. 882, 1190
Paradine v. Jane, Aleyn, 26, 1473
Paramore v. Western R. Co., 53 Ga. 383, 1475, 1478, 1556a, 1719
Pardington v. South Wales R. Co., 1 H. & N. 392, 1545
Parham v. Justices, 9 Ga. 341, 951
Paris v. Mason, 37 Tex. 447, 987
v. Paris, 10 Vesey, Jr., 185, 307
Paris, &c., R. Co. v. Henderson, 89 Ill. 86, 117, 121
v. Nesbitt (Tex.), 33 S. W. 280, 1224
Parish v. Gilmanton, 11 N. H. 293, 1003b
v. Golden, 35 N. Y. 462, 783
v. Missouri, &c., R. Co., 76 S. W. 235, 1283

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Parish v. Wheeler, 22 N. Y. 494, 378, 495
Park v. Grant Locomotive Works, 40 N. J. Eq. 114, 312
v. New York, &c., R. Co., 155 N. Y. 215, 1796
v. New York, &c., R. Co., 70 Fed. 641, 551, 563
v. New York, &c., R. Co., 57 Fed. R. 799, 582
v. O'Brien, 23 Conn. 339, 1163, 1313
v. Preston, 108 N. Y. 434, 1502
Park Com'rs v. Chicago, &c., R. Co., 107 Ill. 105, 787a
Parke's Appeal, 64 Pa. St. 137, 920, 927a
Parke v. Seattle, 5 Wash. 1, 977, 1057, 1057b
Parker, Petitioner, 36 N. H. 84, 1025
Parker v. Atlantic, &c., R. Co., 133 N. Car. 335, 1516, 1720, 1724
v. Barnard, 135 Mass. 116, 1248
v. Bethel, &c., Co. (Tenn.) 34 S. W. 209, 97
v. Boston, &c., R. Co., 8 Cush. (Mass.) 107, 960, 978
v. Bristol, &c., R. Co., 6 Exch. 702, 1563, 1564
v. Browning, 8 Paige (N. Y.), 388, 557, 565, 572
v. Catholic Bishop, 146 Ill. 158, 981, 1086
v. Clarkson, 39 W. Va. 184, 654
v. Dacres, 130 U. S. 43, 530
v. Dubuque, &c., R. Co., 34 Iowa, 399, 1204
v. East Tennessee, &c., R. Co., 13 Lea (Tenn.), 609, 1049
v. Elmira, &c., R. Co., 165 N. Y. 274, 525, 1096b
v. Flagg, 26 Me. 181, 1455, 1517
v. Fort Worth, &c., R. Co., 84 Tex. 333, 1023, 1029, 1041
v. Georgia, &c., R. Co., 83 Ga. 539, 1294
v. Great Western R. Co., 7 M. & G. 253, 58, 1564, 1677, 1678
v. Hannibal, &c., R. Co., 109 Mo. 362, 1332
v. Hotel Co., 96 Tenn. 252, 606
v. Lake Shore R. Co., 93 Mich. 607, 1218
v. McIver, 1 Desaus (S. Car.), 274, 1539a
v. Mason, 8 R. I. 427, 307, 320
v. Massachusetts R. Co., 115 Mass. 580, 1067
v. Milwaukee, &c., R. Co., 30 Wis. 689, 1520, 1528
v. New Orleans, B. R. & V. R. R. Co., 33 Fed. R. 693, 497
v. New York, &c., R. Co., 18 R. I. 773, 1272, 1318, 1327a
v. Nickerson, 112 Mass. 195, 275
v. Nickerson, 137 Mass. 487, 276
v. Nightingale, 6 Allen, 341, 360
v. Northern Cent., &c., R. R. Co., 33 Mich. 23, 102
v. Pennsylvania Co., 134 Ind. 673, 1250, 1251, 1257
v. Portland, &c., R. Co., 69 Me. 173, 1248
v. Providence, &c., Co., 17 R. I. 376, 1376, 1775
v. Railroad Co., 8 Cush. (Mass.) 107, 977a
v. Railroad Co., 83 Ga. 539, 1795
Parker v. Rensselaer, &c., R. Co., 16 Barb. 315, 477, 1195
v. Smith, 3 Bradw. (Ill.) 356, 908
v. Snohomish Co., 25 Wash. 544, 1029a
v. South Eastern Co., L. R. 2 C. P. Div. 416, 1494, 1661
v. Steamboat Co., 109 Mass. 449, 1689l
v. Steamship Co., 74 App. Div. (N. Y.) 16, 1538a
v. Thomas, 19 Ind. 213, 103, 106, 109, 111, 115, 127, 175
v. Waycross & F. R. Co., 81 Ga. 387, 214
v. Wilmington, &c., R. Co., 86 N. Car. 221, 1158, 1257
Parkersburg v. Brown, 106 U. S. 487, 228, 371, 373, 814, 840
Parkerson v. Louisville, &c., R. Co., 80 S. W. 468, 1160
Parkinson v. Great Western, &c., R. Co., L. R. 6 C. P. 554, 1677, 1678
v. West End St. R. Co., 173 Mass. 446, 335
Parkinson Sugar Co. v. Riley, 50 Kan. 401, 1303
Parkhurst v. Capital City R. Co., 23 Ore. 471, 1077, 1096l, 1096s
v. Northern Central R. R. Co., 19 Md. 472, 495
v. Watertown, &c., Co., 107 Ind. 594 510
Parks v. Boston, 15 Pick. 198, 1040
v. Boston, 8 Pick. 218, 858
v. Dallas Term. R. Co., 34 Tex. Civ. App. 341, 1052, 1053a
v. Evansville, &c., R. Co., 23 Ind. 567, 115, 132
v. Jacob Dold, &c., Co., 27 N. Y. Supp. 289, 1565
v. Loche (Tex. Civ. App.), 25 S. W. 702, 1070
v. Nashville, &c., R. Co., 13 Lea, 1, 713, 714, 724
v Ross, 11 How. 362, 1163
v. St. Louis, &c., R. Co., 178 Mo. 108, 1642
v. St. Louis, &c., R. Co., 29 Tex. Civ. App. 551, 1795
v. San Antonio Traction Co., 94 S. W. 331, 1833
v. Wisconsin Central, &c., Co., 33 Wis. 413, 994, 995
Parks, &c., Com'rs v. Michigan Cent. R. Co., 90 Mich. 385, 966
Parmlee v. Associated, &c., 11 Misc. 363, 292
v. Chicago, 60 Ill. 267, 787a
v. Fisher, 22 Ill. 212, 1646, 1647
v. Lowitz, 74 Ill. 116, 1399, 1421
v. McNulty, 19 Ill. 556, 1399
v. Oswego, &c., R. Co., 6 N. Y. 74, 940
Parmley v. St. Louis, &c., R. Co., 3 Dill. 13, 742
v. Tenth Ward Bank, 3 Edw. Ch. 395, 548
Parr v. Spartansburg, &c., Co., 43 S. C. 197, 473, 476
Parrill v. Cleveland, &c., R. Co., 23 Ind. App. 638, 1557, 1689d
Parrish v. Gilmanton, 11 N. H. 293, 1047
v. Wheeler, 22 N. Y. 494, 369, 372
Parrott v. Byers, 40 Cal. 614, 165, 166

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Parrott v. Cincinnati, &c., Railway Co., 10 Ohio St. 624, 631, 718, 1087
v. City, 44 Conn. 180, 699
v. Housatonic, &c., R. Co., 47 Conn. 575, 1239
v. New Orleans, &c., R. Co., 62 Fed. 562, 1771
v. Wells, 15 Wall. 524, 1584
Parry v. American Opera Co., 12 Civ. Pro. B. (N. Y.) 194, 73
Parshall v. New York, &c., R. Co., 50 N. Y. St. 502, 1783
Parson v. Hardy, 14 Wend. 215, 1455, 1482, 1484, 1562
Parsons v. Charter Oak Ins. Co., 31 Fed. R. 305, 555, 570
v. Chicago, &c., R. Co., 167 U. S. 447, 1666, 1688a, 1690
v. Chicago, &c., R. Co., 63 Fed. R. 903, 1677, 1682
v. Eureka Powder Works, 48 N. H. 66, 602
v. Howe, 41 Me. 218, 1057
v. Jackson, 99 U. S. 434, 484, 485
v. Joseph, 92 Ala. 403, 89, 167
v. Missouri, &c., R. Co., 94 Mo. 286, 1701, 1801
v. Monteath, 13 Barb. (N. Y.) 353, 1500
v. Montgomery, 46 Kan. 120, 1825
v. New York, &c., R. R. Co., 113 N. Y. 355, 1171, 1578a, 1592
v. Robinson, 122 U. S. 112, 518
v. Russell, 11 Mich. 140, 665
v. Sutton, 66 N. Y. 92, 1798
v. Tacoma Co., 25 Wash. 492, 158, 159
Partridge v. Badger, 25 Barb. (N. Y.) 146, 108
v. Phœnix, &c., Ins. Co., 15 Wall. (U. S.) 573, 656
Party Rate Tickets, In re, 12 Int. Com. 110, 1687
Parulo v. Philadelphia, &c., R. Co., 145 Fed. 664, 1255, 1265
Paschal v. Owen, 77 Tex. 583, 1704
Passamaneck v. Louisville R. Co., 98 Ky. 195, 1096cl
v. Louisville R. C. (Ky.), 32 S. W. 620, 1374
Passenger Cases, 7 How. 469, 763, 1665
Passenger R. Co. v. Boudron, 92 Pa. St. 475, 1630a
v. Young, 21 Ohio St. 518, 1638
Passenger Tariff, Re, 2 Interst. Com. 445, 1686
Passenger, &c., Co. v. Commonwealth, 103 Va. 644, 1096db
Passman v. West Jersey, &c., R. Co., 68 N. J. L. 719, 1169
Patchague St. Crossings, In re, 74 Hun (N. Y.) 46, 1114b
Patchell v. Irish, &c., R. Co., 6 Irish C. L. 117, 1589
Patchin v. Hunter, 38 Fed. R. 51, 650
Patee v. Adams, 37 Kan. 133, 1669
Patent, &c., Co., In re, L. R. 6 Ch. 83, 424
Paterson v. Central, &c., R. Co., 85 Ga. 653, 1628, 1630
v. Chicago, &c., R. Co., 95 Minn. 57, 1755
v. Dakin, 31 Fed. 682, 1798
Paterson v. Society, 24 N. J. L. 385, 782, 784
v. Wallace, 28 Eng. L. & Eng. Eq. 51, 1283
Paterson R. Co. v. Grundy, 51 N. J. Eq. 213, 8, 1080, 1085, 1096q, 1096r
v. Grundy (N. J.), 26 Atl. 788, 8
Paterson, &c., R. Co. v. Kamlah, 42 J. Eq. 213, 8, 1080, 1085, 1096q,
v. Paterson, 24 N. J. Eq. 158, 1096j
v. Paterson, 72 N. J. L. 112, 966, 975a
Patnode v. Warren, &c., Mills, 157 Mass. 283, 1303
Paton v. Northern Pac. R. Co., 85 Fed. 838, 536
Patrick v. Eells, 30 Kan. 680, 568
v. Missouri Pac. R. Co., 88 S. W. 330, 1415, 1417, 1502
v. Reynolds, 1 Com. B. N. S. 727, 13
v. Richmond, &c., R. Co., 93 N. C. 422, 297
Partridge v. Scott, 3 Mees. & W. 220, 1223
Patry v. Chicago, &c., R. Co., 77 Wis. 218, 1578a, 1801, 1823
Patscheider v. Great Western R. Co., L. R. 3 Ex. Div. 153, 1652, 1659
Pattee v. Chicago, &c., R. Co., 5 Dak. 267, 1788, 1842
Patten's Petition, 16 N. H. 283, 1017
Patten v. Accessory Transit Co., 4 Abb. Pr. (N. Y.) 235, 546
v. Chicago, &c., R. Co., 75 Iowa, 459, 1196
v. Chicago, &c., R. Co., 32 Wis. 524, 1590, 1799
v. New York El. R. Co., 3 Abb. N. Cas. (N. Y.) 306, 1000a
v. Northern Central R. Co., 33 Pa. St. 426, 991, 996
v. Union Pac. R. Co., 29 Fed. R. 590, 1432, 1440, 1443, 1449, 1451, 1569
Patterson v. Bark Eudora, 190 U. S. 169, 1358e
v. Binghamton, 88 Hun, 272, 1025
v. Clyde, 67 Pa. St. 500, 1516
v. Connelsville R. Co., 76 Pa. 389, 1271
v. Detroit, &c., R. Co., 56 Mich. 172, 1689d
v. Illinois Cent. R. Co., 97 S. W. 426, 1731
v. Inclined Plane R. Co., 12 Ohio C. C. 274, 1841
v. Kansas City, &c., R. Co., 56 Mo. App. 657, 1502a
v. Kentucky, 97 U. S. 501, 667, 1668, 1670
v. Keystone, &c., Co., 30 Cal. 360, 1694
v. Lynde, 112 Ill. 196, 179, 555
v. Lynde, 106 U. S. 519, 182
v. Maysville R. Co., 25 Ky. L. 1750, 1638
v. Omaha, &c., R. Co., 90 Ia. 247, 1096cy
v. Philadelphia, &c., R. Co., 4 Houst. 103, 1152
v. Pittsburgh, &c., R. Co., 76 Pa. St. 389, 1268, 1295 1321
v. Portland Smelting Works, 35 Ore. 96, 224, 276

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Patterson v. South, &c., R. Co., 89 Ala. 318, 1146, 1801
v. Townsend (Iowa), 59 N. W. 205, 1095
v. Wabash, &c., R. Co., 54 Mich. 91, 471
v. Westchester Elec. R. Co., 26 App. Div. (N. Y.) 336, 1833
Patteson v. Railway Co., 94 Va. 16, 1774
Pattison v. Blanchard, 5 N. Y. 186, 1445
v. Culton, 33 Ind. 240, 1540
v. Shaw, 6 Ind. 377, 512
Patton v. Central, &c., R. Co., 73 Iowa, 306, 1270, 1283, 1288
v. Clark, 9 Yerg. (Tenn.) 268, 1018, 1053
v. East Tennessee, &c., R. Co., 89 Tenn. 370, 1162, 1257
v. McGrath, Dudley Law (S. Car.), 159, 1459
v. St. Louis, &c., R. Co., 87 Mo. 117, 1238, 1243, 1243a
v. Southern R. Co., 82 Fed. 979, 1268
v. Texas, &c., R. Co., 179 U. S. 658, 1297, 1697
v. West End, &c., R. Co., 14 Mo. App. 589, 1193
v. Western, &c., R. Co., 96 N. Car. 455, 1282, 1316
Patty v. Hillsboro, &c., Co., 4 Tex. Civ. App. 224, 102
Paul v. Baltimore, &c., R. Co., 44 Fed. R. 513, 649
v. Chicago, &c., R. Co., 120 Ga. 224, 1185
v. Connersville, &c., R. Co., 51 Ind. 527, 942, 1002
v. Detroit, 32 Mich. 108, 983, 1015, 1021
v. Frost, 40 Me. 293, 1075
v. Kenosha, 22 Wis. 266, 911
v. Omaha, &c., R. Co., 82 Mo. App. 500, 1798, 1812
v. Pennsylvania R. Co., 70 N. J. L. 442, 1497, 1553
v. Virginia, 8 Wall. 168, 21, 766, 773, 1371
Paulding v. Chrome Steel Co., 94 N. Y. 334, 601, 604
Paule v. Florence, &c., Co., 80 Wis. 350, 1304
Pauling v. London, &c., R. Co., 8 Exch. 867, 345
Paulitsch v. Railroad Co., 102 N. Y. 280, 1628a
Paulmier v. Erie, &c., R. Co., 34 N. J. L. 151, 1271, 1300, 1306
Paulsen v. Portland, 16 Ore. 450, 1019
v. Portland, 149 U. S. 30, 771, 1019
Pavitt v. Lehigh, &c., R. Co., 153 Pa. St. 302, 1512, 1514, 1515
Pawlet, Town of, v. Clark, 9 Cranch, 292, 1663
v. Rutland, &c., R. Co., 28 Vt. 297, 1061, 1063
Paxon v. Sweet, 13 N. J. Law, 196, 193, 1082
Paxton v. Farmers, &c., Co., 45 Neb. 884, 1669, 1685
Paxton Cattle Co. v. First Nat. Bank, 21 Neb. 621, 14
Paxton Co. v. Detroit, &c., R., 10 Int. Com. 422, 1684i
Payne v. Chicago, &c., R. Co., 136 Mo. 562, 1165, 1703
v. Chicago, &c., R. Co., 38 S. W. 308, 1166
v. Chicago, &c., R. Co., 129 Mo. 405, 1172, 1261
v. Chicago, &c., R. Co., 44 Iowa, 236, 1157
v. Chicago, &c., R. Co., 39 Iowa, 523, 1114, 1174
v. Elliott, 54 Cal. 339, 78
v. Forty-second St., &c., R. Co., 40 N. Y. Super. Ct. 8, 1299
v. Grand Trunk R. Co., 58 N. H. 611, 1176
v. Hook, 7 Wall. 425, 1371
v. Humeston, &c., R. Co., 70 Iowa, 584, 1257
v. Kansas, &c., R. Co., 46 Fed. R. 546, 628, 980, 1036
v. Kansas City, &c., R. Co., 72 Iowa, 214, 1199, 1200
v. Morgan's, &c., R. Co., 43 La. Ann. 981, 949, 1052
v. Morgan's La., &c., R. Co., 38 La. Ann. 164, 977, 1057
v. New South Wales, &c., Co., 10 Ex. 283, 14
v. Nashville, &c., R. Co., 106 Tenn. 167, 1628, 1841
v. Ralli, 74 Fed. 563, 1492, 1570
v. Spokane St. R. Co., 15 Wash. 522, 1096cr, 1831
v. Terre Haute, &c., R. Co., 157 Ind. 616, 1608
v. Troy, &c., R. Co., 83 N. Y. 572, 1176
v. Western, &c., Co., 13 Lea (Tenn.), 507, 213
Payson v. Stoever, 2 Dill. (U. S.) 233, 87, 184
Peabody v. Boston, &c., R. Co., 181 Mass. 76, 1057
v. Chicago Gas Trust Co., 130 Ill. 268, 368
v. Maguire, 79 Me. 572, 1538
v. Oregon, &c., R. Co., 21 Ore. 121, 1594, 1637, 1701
Peachey v. Rowland, 13 C. B. 182, 1096ar
Peacock v. Pratt, 121 Fed. 772, 740, 775
Peak v. Kings Co., &c., R. Co., 83 App. Div. (N. Y.) 631, 1053
Peake v. Wabash R. Co., 18 Ill. 88, 140
Pearce v. Madison, &c., R. R. Co., 21 How. (U. S.) 441, 45, 70, 163, 322, 340, 350, 374, 376, 384, 440, 485, 1445
v. The Thomas Newton, 41 Fed. R. 106, 1455, 1463, 1486
Pearley v. Eastern, &c., R. Co., 98 Mass. 414, 1223
Pearlmoor, The L. R. (1904) P. 286, 1495
Pearly v. Smith, 3 Atk. 260, 307
Pearsall v. Board of Supervisors, 74 Mich. 558, 1021
v. Great Northern, &c., R. Co., 73 Fed. R. 933, 20
v. Gt. Northern R. Co., 161 U. S. 646, 43, 447, 1662c, 1670
v. Post, 20 Wend. (N. Y.) 111, 947
v. Western U. Tel. Co., 44 Hun (N. Y.), 532, 171
Pearse v. Quebec S. S. Co., 24 Fed. 285, 1736

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pearson v. Chicago, &c., R. Co., 47 Minn. 9, 1344
v. Concord, &c., R. Co., 62 N. H. 537, 95, 107, 242, 251, 275, 276
v. Duane, 4 Wall. (U. S.) 605, 1466, 1574, 1577
v. London, &c., Ry. Co., 14 Sim. 541, 82
v. Milwaukee R. Co., 45 Iowa, 497, 1209
v. Zable, 78 Ky. 170, 1064
Pease v. Chicago, &c., R. Co., 61 Wis. 163, 1300, 1301, 1310
v. Delaware, &c., Co., 101 N. Y. 367, 1637
v. Gloahec, L. R. 1 Priv. C. App. 219, 1429
v. Patterson, &c., Trac. Co., 69 N. J. L. 524, 1025
Peaslee v. Fitchburgh Ry. Co., 152 Mass. 155, 1284
Peavey v. Calais R. Co., 30 Me. 498, 41, 962, 971
v. Georgia, &c., R. Co., 81 Ga. 485, 1637
v. Wolfborough, 37 N. H. 286, 1017
Peck v. Bridwell, 6 Mo. App. 45, 1706
v. Coalfield Coal Co., 11 Ill. App. 88, 91, 110
v. Cooper, 112 Ill. 192, 282
v. Dinsmore, 4 Porter (Ala.), 212, 1419, 1423, 1722, 1725
v. Doran & W. Co., 57 Hun, 343, 372
v. Elliott, 79 Fed. 10, 87
v. Louisville, &c., R. Co., 101 Ind. 366, 948, 962
v. Michigan Cent. R. Co., 57 Mich. 3, 1157
v. Miller, 39 Mich. 594, 1065
v. Neil, 3 McLean, 22, 1587
v. New York, &c., R. Co., 70 N. Y. 587, 200, 1637
v. New York, &c., R. Co., 165 N. Y. 347, 1244
v. New York, &c., S. S. Co., 3 Bosw. (N. Y.) 622, 181
v. New York, &c., R. Co., 59 How. (N. Y.) Pr. 419, 527
v. Oregon, &c., R. Co., 25 Utah, 21, 1167
v. Providence Gas Co., 17 R. I. 275, 94
v. Schenectady R. Co., 67 App. Div. (N. Y.) 359, 1049
v. Schenectady R. Co., 175 N. Y. 298, 1096c
v. Weeks, 34 Conn. 145, 1457, 1501
v. Whitney, 6 B. Mon. 117, 1053
Peckham v. Dutchess County, &c., R. Co., 20 N. Y. Supp. 39, 1146
v. Dutchess, &c., R. Co., 145 N. Y. 385, 578, 1142
v. Van Wagenen, 83 N. Y. 40, 306, 310
Pecksport, &c., R. Co. v. West, 47 N. Y. S. 230, 1000a
Pecos, &c., R. Co. v. Blasengame, 93 S. W. 187, 1808, 1822
Pecos, &c., R. Co. v. Evans-Snider-Buel Co., 97 S. W. 466, 1745
v. Harrington, 99 S. W. 1050, 1440
v. Latham, 88 S. W. 392, 1745
v. Williams, 34 Tex. Civ. App. 100, 1813
Pecos Valley, &c., R. Co. v. Cazier, 79 Pac. 714, 1183
Peddicord v. Baltimore, &c., R. Co., 34 Md. 463, 1087
Peden v. Chicago, &c., R. Co., 73 Iowa, 328, 945
Pedrick v. Raleigh, &c., R. Co., 55 S. E. 877, 919
Peebles v. Boston, &c., R. Co., 112 Mass. 498, 1420
Peed v. Millikan, 79 Ind. 86, 857, 872
Peek v. Derry, L. R. 37 Ch. Div. 541, 282
v. Gurney, L. R. 6 H. L. 377, 282
v. North, &c., R. Co., 10 H. L. Cas. 473, 1465, 1495, 1504
Peel v. Atlanta, 85 Ga. 138, 978
v. Chicago, &c., R. Co., 20 Wis. 594, 1527
v. Tatlock, 1 Bos. & Pull, 419, 232
Peeples v. Brunswick, &c., R. Co., 60 Ga. 281, 1265, 1638
Peerless Stone Co. v. Wray, 143 Ind. 574, 1311
v. Wray, 10 Ind. App. 324, 1689c
Peery v. Quincy, &c., R. Co., 99 S. W. 14, 1200
Peet v. Chicago, &c., R. Co., 88 Ia. 520, 1185
v. Chicago, &c., R. Co., 19 Wis. 118, 1434, 1436
v. Chicago, &c., R. Co., 20 Wis. 594, 1465, 1466
Peete v. Morgan, 19 Wall. 581, 1668
Pegler v. Highway Commissioners, 34 Mich. 359, 1034
v. Monmouthshire R. Co., 6 H. & N. 644, 1566, 1677, 1678
Pegram v. Charlotte, &c., R. Co., 85 N. Car. 696, 303
v. Commissioners Cleveland County, 64 N. C. 557, 918
v. New York, &c., R. Co., 147 N. Y. 135, 1001
Pelk v. Chicago, &c., R. Co., 94 U. S. 164, 2, 26, 339, 637, 674, 950, 1662c, 1670
Peirce v. Oliver, 18 Ind. App. 87, 1317, 1771
v. Railroad Co., 120 Cal. 156, 1510
v. Van Dusen, 78 Fed. 693, 573, 577, 1340, 1358e
v. Walters, 164 Ill. 560, 1257
Pekin, City of, v. McMahon, 154 Ill. 141, 1261
v. Reynolds, 31 Ill. 529, 880
Pellard v. Canadian Pac. R. Co., 7 Mont. L. R. (S. C.) 131, 1660
Pellatt's Case, L. R. 2 Ch. 527, 112
Pelletier v. Greenville, &c., R. Co., 123 N. C. 596, 573, 574
Pelly v. Denison, &c., R. Co., 78 S. W. 542, 1830
Pelsall, &c., R. Co. v. London, &c., R. Co., L. R. 23 Q. B. D. 536, 706
Pelt v. Payne (Ark.), 30 S. W. 426, 862
Peltier v. Louisville, &c., R. Co. 16 Ky. L. 500, 1162
Pelton v. Bank, 101 U. S. 143, 751
v. Rensselaer, &c., R. Co., 54 N. Y. 214, 1527
v. Transportation Co., 37 Ohio St. 450, 623
Pelzer, &c., Co. v. Hamburg, &c., Ins. Co., 62 Fed. R. 1, 646
Pemberton v. Dooley, 43 Mo. App. 176, 1085
Pemberton Co. v. New York, &c., R. Co., 104 Mass. 144, 1500

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pembina, &c., Co. v. Pennsylvania, 125 U. S. 181, 21, 25, 660, 773, 1664
Pembroke v. Hannibal, &c., R. Co., 32 Mo. App. 61, 1604
Pemigewassett Bank v. Rogers, 18 N. H. 255, 268
Pence v. Chicago, &c., R. Co., 79 Ia. 389, 1704
v. Wabash R. Co., 116 Ia. 279, 1815
Pendall v. Rench, 4 McLean (U. S.), 259, 1416
Pendelton v. Richmond, &c., R. Co., 104 Va. 813, 1702
Pender v. Lushington, L. 6 Ch. D. 70, 174
Pendergast v. Adams Ex. Co., 101 Mass. 120, 1438
v. Bank, 1 Sawy. (U. S.) 108, 99
v. Yandes, 124 Ind. 159, 186, 605
Pendleton v. Kinsley, 3 Cliff. 416, 1587, 1638
v. Russell, 144 U. S. 640, 537
Pendleton County v. Amy, 13 Wall. (U. S.) 297, 898, 903, 904
Pendleton St. R. Co. v. Rahmann, 22 Ohio St. 446, 1828
v. Shires, 18 Ohio St. 255, 1096cb, 1590
v. Stallman, 32 Ohio St. 1, 1094, 1096cb, 1096cg
Penfield v. Cleveland, &c., R. Co., 26 App. Div. (N. Y.) 413, 1641
Pengra v. Munz, 29 Fed. R. 830, 796, 806
Peninsular Iron Co. v. Eells, 68 Fed. R. 24, 500
Peninsular, &c., Bank v. Black, &c., Co. (Mich.) 63 N. W. 198, 91
Peninsular R. Co. v. Duncan, 28 Mich. 130, 102
v. Howard, 20 Mich. 18, 173, 1017, 1024
v. Tharp, 28 Mich. 506, 323, 326
Peninsular, &c., Co. v. Shand, 3 Moore P. C. (N. S.) 272, 1506
Peniston v. Chicago, &c., R. Co., 34 La. Ann. 777, 1588a, 1590, 1628
Penn v. Buffalo, &c., R. Co., 49 N. Y. 204, 1546, 1552
v. Calhoun, 121 U. S. 251, 528
v. United State Cement Co., Ind. App. 73 N. E. 269, 196
Penn Gas Coal Co. v. Versailles Fuel Gas Coal Co., 131 Pa. 522, 972
Penn Match Co. v. Hapgood, 141 Mass. 145, 14
Penn Mutual Ins. Co. v. Heiss, 141 Ill. 35, 528, 950, 1008
v. Semple, 38 N. J. Eq. 314, 552
Pennell v. Grubb, 13 Pa. St. 552, 625
Pennewill v. Cullen, 5 Harr. (Del.) 238, 1393
Penniman v. St. Johnsbury, 54 Vt. 306, 1014
Pennington v. Baehr, 48 Cal. 565, 485
v. Detroit, &c., R. Co., 90 Mich. 509, 1689d
v. Philadelphia, &c., R. Co., 62 Md. 95, 364, 1593, 1598, 1601
v. Railroad Co., 69 Ill. App. 628, 1598
Pennison v. Chicago, &c., R. Co., 93 Wis. 344, 324
Pennock v. Coe, 23 How. (U. S.) 117, 31, 389, 497, 498, 549
v. Dialogue, 2 Pet. 1, 1678
Pennoyer v. Neff, 95 U. S. 714, 624, 1019
Pennsylvania v. Langdon, 92 Pa. St. 21, 1294
v. McCann, 54 Ohio St. 10, 1340
v. Wheeling, &c., Bridge Co., 13 How. (U. S.) 515, 1057c
Pennsylvania Co., &c. v. Bauerle, 143 Ill. 459, 398
v. Jacksonville, &c., R. Co., 55 Fed. R. 131, 549
Pennsylvania Coal Co. v. Delaware, &c., Co., 1 Keyes (N. Y.), 72, 356
v. Kelly, 156 Ill. 9, 1700
Pennsylvania College Cases, 13 Wall. (U. S.) 190, 325, 770
Pennsylvania Co.'s Appeal, 116 Pa. St. 55, 1096h
Pennsylvania Life Ins. Co. v. Heiss, 141 Ill. 35, 500
Pennsylvania Miller's Ass'n. v. Philadelphia, &c., R. Co., 8 I. C. C. 531, 16841
Pennsylvania R. Co., Ex parte, 137 U. S. 451, 645, 651
Pennsylvania R. Co., In re, 213 Pa. St. 373, 662, 1082
Pennsylvania R. Co.'s Appeal, 80 Pa. St. 265, 269
Pennsylvania R. Co.'s Appeal, 86 Pa. St. 80, 97
Pennsylvania R. Co.'s Appeal, 93 Pa. St. 150, 74, 922, 955, 964, 966, 974, 1049, 1119, 1125
Pennsylvania R. Co.'s Appeal, 115 Pa. St. 514, 1049
Pennsylvania R. Co., Appeal of, 104 Pa. St. 399, 961
Pennsylvania Co.'s Appeal, 116 Pa. St. 55, 1076, 1096h, 1122
Pennsylvania R. Co. v. Chapman, 22 Ill. 428, 1387
v. Chicago, 181 Ill. 289, 1077
v. Conlan, 101 Ill. 93, 1792
v. Coyer, 163 Ind. 631, 1578, 1580, 1581a, 1582
v. Dean, 92 Ind. 459, 1756
v. Dickson, 31 Ind. App. 451, 1433, 1435
v. Ebaugh, 152 Ind. 531, 1288, 1311
v. Files, 65 Ohio, 403, 1799
v. Frana 112 Ill. 398, 1179a
v. Hankey, 93 Ill. 580, 1272, 1296
v. Kenwood Bridge Co., 170 Ill. 645, 1491
v. Lenhart, 120 Fed. 61, 1594
v. Lilly, 73 Ind. 252, 1822
v. Liveright, 14 Ind. App. 518, 1464, 1516, 1651, 1652, 1718
v. Loftis, 72 Ohio St. 288, 1596
v. McCaffrey, 173 Ill. 169, 16891, 1846
v. Marion, 104 Ind. 239, 1689c
v. Mehaffey, 80 N. E. 177, 1065a, 1068
v. Newby, 164 Ind. 109, 1198
v. O'Shaughnessy, 122 Ind. 588, 1313, 1315e
v. Paul, 126 Fed. 157, 1630a
v. Railway Co., 107 Ill. App. 386, 1538a
v. Sears, 136 Ind. 460, 1268, 1271
v. Shearer, 75 Ohio St. 249, 1512
v. Walker, 29 Ind. App. 285, 1689d

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pennsylvania Co. v. Zwick, 1 Ind. App. 280, 1689a
Pennsylvania R. Co.'s Appeal, 93 Pa. St. 150, 975
Pennsylvania R. Co.'s Appeal, 116 Pa. St. 55, 920
Pennsylvania R. Co. v. Ackermann, 74 Pa. St. 265, 1160
v. Allegheney, &c., R. Co., 25 Fed. R. 113, 655
v. Allegheney, &c., R. Co., 48 Fed. R. 139, 507
v. Allen, 53 Pa. St. 276, 1815
v. American Oil Works, 126 Pa. St. 485, 1543a, 1570
v. Angel, 41 N. J. Eq. 316, 630, 631, 718, 976, 1085
v. Aspell, 23 Pa. St. 147, 1628c, 1642
v. Atha, 22 Fed. R. 920, 1249
v. Baltimore, &c., R. Co., 60 Md. 263, 32, 43, 951, 964, 982, 983, 1013, 1015, 1084, 1096au, 1119
v. Barnett, 59 Pa. St. 259, 1156, 1158, 1264
v. Beale, 73 Pa. St. 504, 1166, 1167, 1170
v. Bell, 122 Pa. St. 58, 1374, 1628
v. Bender, 148 U. S. 255, 649
v. Bentley, 88 Pa. St. 178, 1003, 1003b
v. Berry, 68 Pa. St. 272, 1434
v. Boggart, 209 Pa. St. 589, 1108
v. Bond, 202 Ill. 95, 1008
v. Bond, 99 Ill. App. 535, 1049a
v. Books, 57 Pa. 339, 1578, 1581, 16891, 1776, 1784, 1788, 1808
v. Boylan, 104 Ill. 595, 1176
v. Braddock, &c., R. Co., 152 Pa. St. 116, 1109, 1122, 1123, 1135
v. Bray, 125 Ind. 229, 1593, 1594, 1597, 1602, 1837
v. Breckenridge, 60 N. J. L. 583, 972
v. Bruner, 55 Pa. St. 318, 1041, 1042
v. Brush, 130 Ind. 347, 1268, 1271
v. Bunnell, 81 Pa. St. 414, 994, 995, 996, 1026, 1036, 1038, 1052, 1239
v. Burr, 130 Fed. 847, 1509
v. Butler, 57 Pa. St. 335, 1378
v. Canal Com'rs, 21 Pa. St. 9, 38
v. Chicago, &c., R. Co., 144 Ill. 197, 1452
v. Clark, 2 Ind. App. 146, 1392, 1423, 1555, 1692, 1714
v. Cleary, 125 Pa. St. 442, 1036
v. Commonwealth (Pa.) 29 Am. & Eng. R. Cas. 145, 385
v. Commonwealth (Pa.), 7 Atl. R. 368, 92
v. Congdon, 134 Ind. 226, 1274, 1300, 1308
v. Connell, 112 Ill. 295, 1594, 1596, 1637
v. Connell, 127 Ill. 419, 1823
v. Conshohocken R. Co., 15 Pa. Co. 454, 1135
v. Consolidation Coal Co., 55 Md. 158, 632, 1125
v. Dolan, 6 Ind. App. 109, 383
v. Dovey, 64 Pa. St. 250, 307
Pennsylvania R. Co. v. Dunlap, 112 Ind. 93, 1207
v. Duquesne Borough, 46 Pa. St. 223, 1092, 1096ak
v. Eby, 107 Pa. 166, 1023, 1025, 1049
v. Ellett, 132 Ill. 654, 1453
v. Erie, &c., R. Co., 108 Pa. St. 621, 364, 462, 946
v. Fairchild, 69 Ill. 260, 1494, 1506
v. Fertig, 34 Ind. App. 459, 1166a
v. Finney, 145 Ind. 551, 1269
v. First German Lutheran Congregation, 53 Pa. St. 445, 985, 1012, 1017
v. Frund, 4 Ind. App. 469, 1112
v. Gallentine, 77 Ind. 322, 1235, 1241
v. Goodenough (N. J.), 28 Atl. 3, 1174
v. Goodman, 62 Pa. St. 329, 1096ck, 1153, 1378a
v. Graham, 63 Pa. St. 290, 1263
v. Greensburg, &c., R. Co., 176 Pa. St. 559, 1096a, 1096bl
v. Hammill, 56 N. J. L. 370, 1154
v. Hammond, 1 Ohio Dec. 298, 1297
v. Harkins, 149 Pa. St. 121, 329
v. Heister, 8 Pa. St. 445, 987, 1024
v. Henderson, 51 Pa. St. 315, 1177, 1590, 1608, 1641
v. Hensil, 70 Ind. 569, 711, 1155, 1157, 1158, 1160, 1264, 1310
v. Hine, 41 Ohio St. 276, 1596, 1598
v. Hoagland, 78 Ind. 203, 213, 1628, 1632
v. Holderman, 69 Ind. 18, 1414, 1692, 1694, 1716
v. Hope, 80 Pa. St. 373, 1231, 1799
v. Horton, 132 Ind. 189, 1153, 1155, 1310
v. Hughes, 191 U. S. 477, 1494, 1671
v. Jersey City, 49 N. J. L. 540, 750
v. Jones, 123 Fed. 753, 1288a
v. Jones, 155 U. S. 333, 501
v. Keifer, 22 Pa. St. 356, 1039
v. Kelly, 31 Pa. St. 372, 1821
v. Keokuk, &c., Co., 131 U. S. 371, 228
v. Knight, 58 N. J. L. 287, 1651, 1652a, 1657, 1660
v. Krick, 47 Ind. 368, 1114, 1152, 1206
v. Lacey, 89 Pa. St. 458, 1244
v. Lake Erie, &c., R. Co., 146 Fed. 446, 632, 1096bp, 1125
v. Langdon, 92 Pa. St. 21, 200, 1282, 1576, 1581, 1631, 1643
v. La Rue, 81 Fed. 148, 1318
v. Leary, 56 N. J. L. 705, 1166
v. Leuffer, 84 Pa. St. 168, 186, 605, 1072
v. Lewis, 79 Pa. St. 33, 668, 723, 1156
v. Lindley, 2 Ind. App. 111, 1194
v. Lippincott, 116 Pa. St. 472, 718, 978, 1086
v. Lippincott, 119 Pa. St. 541, 631
v. Long, 94 Ind. 250, 1296
v. Lynch, 90 Ill. 333, 1303
v. Lyons, 129 Pa. St. 113, 1628, 1643, 16891

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pennsylvania R. Co. v. McCaffrey, 139 Ind. 430, 1287, 1292, 1298, 1314
v. McCann (Ohio St.), 42 N. E. 768, 1365
v. McCloskey, 23 Pa. St. 526, 1608, 1645
v. McCormack, 131 Ind. 250, 1847
v. MacKinney, 124 Pa. St. 462, 1586, 1635, 1644, 1651, 1696
v. McMullen, 132 Pa. St. 107, 1259, 1260
v. Marchant, 119 Pa. St. 541, 718, 978
v. Marion, 104 Ind. 239, 1057d, 1590, 1641, 1808
v. Mason, 109 Pa. St. 296, 1270, 1299, 1309, 1321
v. Matthews, 36 N. J. L. 531, 1156, 1157
v. Meyers, 136 Ind. 242, 1095, 1154, 1248, 1250, 1251, 1257, 1374
v. Midvale Steel Co., 201 Pa. St. 624, 1567
v. Miller, 35 Ohio St. 541, 1649
v. Miller, 112 Pa. St. 34, 41, 977
v. Miller, 132 U. S. 75, 45, 1670
v. Miller, 129 Pa. 181, 43
v. Mitchell, 124 Ind. 473, 1194
v. Montgomery, &c., R. Co., 167 Pa. St. 62, 1078, 1088, 1096c, 1096be, 1096bi
v. Morel, 40 Ohio St. 338, 1167
v. Morgan, 82 Pa. St. 134, 1257
v. Naive, 112 Tenn. 239, 1718
v. Nat., &c., Co. (N. J.), 32 Atl. 220, 986
v. National Docks, &c., Co. (N. J.), 30 Atl. 183, 933, 973
v. National, &c., R. Co., 23 N. J. Eq. 441, 32
v. National Docks, &c., R. Co., 56 Fed. R. 697, 632, 1125
v. Newmeyer, 129 Ind. 401, 1585, 1629, 1699, 1788
v. New York, &c., R. Co., 23 N. J. Eq. 157, 980
v. Ogier, 35 Pa. St. 60, 1153, 1158, 1798
v. Parkersburg, &c., St. R. Co., 26 Super. Ct. 159, 1096i
v. Parry, 55 N. J. L. 551, 1593, 1595
v. Pearsol, 173 Pa. St. 496, 938
v. Pennock, 51 Pa. St. 244, 624, 626, 1538
v. Peoples, 31 Ohio St. 537, 624, 1693
v. Pennsylvania, &c., R. Co., 151 Pa. St. 334, 1086
v. Philadelphia, &c., R. Co., 10 Pa. Co. Ct. R. 625, 38
v. Philadelphia Co., 47 Pa. St. 189, 827, 844
v. Philadelphia, &c., R. Co., 157 Pa. St. 42, 632, 1080, 1088
v. Philadelphia, &c., R. Co., 160 Pa. St. 277, 1123
v. Platt, 47 Ohio St. 366, 1008
v. Poor, 103 Ind. 553, 1692, 1694, 1715
v. Porter, 29 Pa. St. 165, 1027, 1029
v. Price, 96 Pa. St. 256, 1255, 1578
v. Raiordon, 119 Pa. St. 577, 1500, 1501, 1516, 1548, 1661
v. Rathgeb, 32 Ohio St. 66, 1155, 1165
v. Reading Paper Mills 149 Pa. St. 18, 972
Pennsylvania R. Co. v. Reichert, 58 Md. 261, 715, 982, 1042
v. Reed, 60 Fed. 694, 1628c
v. Riblet, 66 Pa. St. 164, 663, 668, 1082, 1096o
v. Rodgers, 52 W. Va. 450, 624, 627
v. Roney, 89 Ind. 453, 1297, 1315a
v. Roy, 102 U. S. 451, 1313, 1320, 1378, 1378a, 1551, 1585, 1618, 1625, 1640
v. St. Louis, &c., R. Co., 118 U. S. 290, 322a
v. Schwartzenberger, 45 Pa. St. 208, 1596, 1658
v. Sellers, 127 Pa. St. 406, 473
v. Sinclair, 62 Ind. 301, 1251, 1257
v. Sloan, 1 Bradw. (Ill.) 364, 190
v. Sly, 65 Pa. St. 205, 324, 461, 471
v. Smith, 98 Ind. 42, 1251, 1762
v. Spaulding, 112 Ind. 47, 1193, 1198
v. Spicker, 105 Pa. St. 142, 1597
v. St. Louis, &c., R. Co., 118 U. S 290, 4, 28, 29, 70, 228, 340, 359, 369, 373, 376, 378, 384, 385, 430, 432, 434, 447, 481, 519, 649, 1573
v. Stanley, 10 Ind. App. 421, 1086, 1087
v. State, 61 Md. 108, 1162
v. State, 142 Ind. 428, 662, 722
v. Stegemeier, 118 Ind. 305, 711, 1155, 1156, 1157, 1161, 1171, 1173, 1702
v. Stern, 119 Pa. St. 24, 1426, 1440, 1523, 1527, 1528, 1535
v. Thompson, 45 N. J. Eq. 870, 401, 1076
v. Titusville, &c., R. Co., 71 Pa. St. 350, 1729
v. Toomey, 91 Pa. St. 256, 1255, 1637
v. Vandiver, 42 Pa. St. 365, 1637, 1638
v. Wachter, 60 Md. 395, 1290, 1298, 1332
v. Walsh, 124 Pa. St. 544, 978, 1086, 1087
v. Warren, St. R. Co., 188 Pa. St. 74, 150
v. Watson, 81½ Pa. St. 293, 1244
v. Weber, 76 Pa. St. 157, 1701
v. Weddle, 100 Ind. 138, 213, 214, 1265
v. Wentz, 37 Ohio St. 333, 1576
v. Whitcomb, 111 Ind. 212, 1280, 1282, 1514
v. White, 88 Pa. St. 327, 1628
v. Whitlock, 99 Ind. 16, 1231
v. Woodworth, 26 Ohio St. 585, 1578a, 1645
v. Yoder, 25 Ohio C. C. 32, 1716
v. Zebe, 33 Pa. St. 318, 1374
Pennsylvania Tel. Co. v. Varnau (Pa. St.), 15 Atl. R. 624, 1173
Pennsylvania Transp. Co.'s Appeal, 101 Pa. St. 576, 324, 521, 526, 529, 533
Pennsylvania, &c., R. Co. v. Gorsuch, 84 Pa. St. 411, 1046a
v. Jacksonville, &c., R. Co., 93 Fed. 60, 585
v. Pfuelb, 60 N. J. L. 278, 1166
Pennsylvania Steel Co. v. Georgia, &c., R. Co., 94 Ga. 636, 1570
v. J. E. Potts, &c., Co., 63 Fed. R. 11, 1066

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pensylvania, &c., Co. v. Georgia R., &c., Co., 94 Ga. 636, 1543a
Penny, In re, 7 El. & Bl. 660, 991, 1054
Penny, In re, 90 Eng. C. L. 660, 996
Penny v. Atlantic Coast Line R. Co., 133 N. Car. 221, 1639
v. Rochester R. Co., 7 App. Div. (N. Y.) 595, 1790, 1792
Penobscot, B. Co. v. Lamson, 16 Me. 224, 15
Penobscot, &c., R. Co. v. Bartlett, 12 Gray (Mass.), 244, 104, 149
v. Dummer, 40 Me. 172, 102, 111, 134, 138, 144, 241
v. Dunn, 39 Me. 587, 111, 112, 116, 138, 248, 440
v. Lawson, 16 Me. 224, 15
Penrose v. Erie, &c., Co., 56 Pa. St. 46, 73
Pensacola Elec. R. Co. v. Haussmann, 40 So. 196, 1844
Pensacola Tel. Co. v. Western U. Tel. Co., 96 U. S. 1, 25, 29, 30, 388, 637, 667, 773 1358e, 1663, 1673
Pensacola, &c., R. Co. v. Florida, 27 Fla. 403, 1684a, 1684e
v. State, 25 Fla. 310, 1593
Penton v. Grand Trunk R. Co. 28 U. C. Q., B. 367, 1659
Pentoney v. St. Louis Transit Co., 108 Mo. App. 681, 1799
Pentz v. Hawley, 1 Barb. Chan. (N. Y.) 122, 183
People v. Adams, 16 Hun (N. Y.), 549, 730
v. Adams, 34 N. Y. 579, 1110
v. Adams, 88 Hun (N. Y.), 122, 1111
v. Adirondack R. Co., 160 N. Y. 225, 921
v. Albany, 11 Wend. 539, 709
v. Albany, &c., R. Co., 7 Abb. Pr. N. S. (N. Y.) 265, 539, 556
v. Albany, &c., R. Co., 24 N. Y. 261, 49, 458, 638, 1690
v. Albany, &c., R. Co., 55 Barb. (N. Y.) 344, 91, 164, 174, 243, 244
v. Albany, &c., R. Co., 77 N. Y. 232, 430
v. Albertson, 55 N. Y. 50, 677
v. Allen, 52 N. Y. 538, 874
v. Assessors, 1 Hill (N. Y.), 616, 15
v. Atchison, &c., R. Co., 80 N. E. 272, 738b
v. Atlantic, &c., R. R. Co., 125 N. Y. 513, 48, 51
v. Auditor, 33 Ill. 9, 263
v. Babcock, 16 Hun, 313, 1690
v. Baltimore, &c., R. Co., 117 N. Y. 150, 963
v. Ballard, 134 N. Y. 267, 519
v. Bank of Hudson, 6 Cow. (N. Y.) 217, 53
v. Bank of Niagara, 6 Cow. (N. Y.) 196, 53
v. Barker, 39 N. Y. S. 88, 20
v. Barnard, 110 N. Y. 548, 1081, 1096k, 1096p
v. Barnett, 91 Ill. 422, 563
v. Barrett, 18 Hun (N. Y.), 206, 858
v. Batchelor, 22 N. Y. 128, 164, 262
v. Batcheller, 53 N. Y. 128, 824, 843, 874, 1096ap
People v. Beach, 19 Hun (N. Y.), 259, 18
v. Board, 158 N. Y. 711, 1096r
v. Board, 100 Ill. 495, 40
v. Board of Assessors, 76 N. Y. 202, 319
v. Board of Supervisors, 16 N. Y. 424, 666
v. Board of Trustees, 80 Hun, 385, 1012
v. Board, &c., 72 Mich. 234, 1028
v. Bogart, 45 Cal. 73, 51
v. Boston, &c., R. Co., 70 N. Y. 569, 2, 44, 638, 697, 699, 723, 1096o, 1102
v. Boston, &c., R. Co., 12 Abb. (N. C. N. Y.) 230, 1096bl
v. Brady, 90 Mich. 459, 710
v. Bristol, &c., Co., 23 Wend. (N. Y.) 222, 48
v. Broadway R. Co., 126 N. Y. 29, 38, 39, 48, 1096s, 1096ac
v. Brooklyn, &c., R. Co., 89 N. Y. 75, 1, 72, 521, 923, 926, 1096ad
v. Brooklyn, 65 N. Y. 349, 1096aj
v. Brooks, 40 Mich. 333, 626
v. Caldwell, 168 N. Y. 671, 728, 1599
v. Canal Commissioner, 5 Denio, 401, 806
v. Cass County, 77 Ill. 438, 863
v. Central City Bank, 53 Barb. (N. Y.) 412, 565
v. Central Pac. R. Co., 83 Cal. 393, 617
v. Central, &c., Co., 41 Mich. 166, 314
v. Chambers, 42 Cal. 201, 18, 106
v. Cheeseman, 7 Colo. 376, 1, 18, 36, 1453
v. Chicago, &c., Co., 116 Ill. 181, 750
v. Chicago, &c., R. Co., 16 Fed. R. 706, 652
v. Chicago, &c., Co., 18 Ill. App. 125, 69, 1079, 1096n
v. Chicago, &c., R. Co., 55 Ill. 95, 303, 638
v. Chicago, &c., R. Co., 67 Ill. 118, 639, 697, 719, 787, 1092, 1096al, 1096an, 1105, 1106, 1111
v. Chicago, &c., R. Co., 118 Ill. 113, 1079
v. Chicago, &c., R. Co., 130 Ill. 175, 638, 641, 662, 694, 698, 931a
v. Chicago, &c., R. Co., 35 Am. & Eng. R. Cas. 462, 641
v. Chicago, &c., R. Co., 223 Ill. 581, 1358d
v. Chicago, &c., Exchange, 170 Ill. 556, 191, 193
v. Chicago Gas Trust Co., 130 Ill. 268, 38, 76, 95, 107, 251, 385
v. Clark, 14 N. Y. Supp. 642, 668, 724
v. Clark, 1 Cal. 406, 842
v. Clark County, 50 Ill. 213, 918
v. Clayton, 88 Ill. 45, 851a
v. Cline, 63 Ill. 394, 849, 907
v. Coleman, 126 N. Y. 433, 76
v. Colorado Eastern R. Co., 8 Colo. App. 301, 55
v. Colorado, &c., R. Co., 42 Fed. R. 638, 457, 638, 642, 643, 646, 918

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

People v. Commissioners, 23 N. Y. 192, 76
v. Commissioners, 2 Black 620, 1665
v. Comr's of Public Works, 98 N. Y. 6, 1096h
v. Common Council, 140 N. Y. 300, 840
v. Compagnie, &c., 107 U. S. 59, 763, 1664
v. Conner, 46 Barb. (N. Y.) Y.) 333, 1018
v. Cook, 8 N. Y. 67, 54, 644
v. Cook, 110 N. Y. 443, 72, 525, 532
v. Cook, 148 U. S. 397, 531, 746
v. Coon, 25 Cal. 635, 876
v. County Board of Cass County, 77 Ill. 438, 864, 907
v. County of Tazewell, 22 Ill. 147, 833
v. Crockett, 9 Cal. 112, 193
v. Crossley, 69 Ill. 195, 162
v. Cummings, 72 N. Y. 433, 164
v. Cunningham, 1 Denio (N. Y.), 524, 1096ap
v. DeGraw, 133 N. Y. 254, 611
v. Detroit, &c., R. Co., 79 Mich. 471, 1010, 1102, 1138, 1142
v. Detroit, &c., R. Co., 134 Mich. 682, 1082, 1096ae, 1096ag
v. District Court, 11 Colo. 147, 923, 952
v. Douglass, 87 Cal. 281, 1776
v. Downer, 7 Cal. 169, 763
v. Dunkel, 39 Mich. 255, 730
v. Dupuyt, 71 Ill. 651, 847
v. Dutcher, 56 Ill. 144, 823a, 852, 874
v. Dutchess, &c., R. Co., 58 N. Y. 152, 639, 642, 1092, 1096ai, 1105, 1106
v. Eel River & E. R. Co., 98 Cal. 665, 227, 345, 425
v. Equity, &c., Co., 141 N. Y. 232, 54
v. Erie R. Co., 54 How. (N. Y.) Pr. 59, 595
v. Excelsior, &c., Co., 3 How. Pr. N. S. (N. Y.) 137, 601
v. Fielding, 158 N. Y. 542, 1704
v. Fire Ass'n. 92 N. Y. 311, 30, 773
v. Fire Department, 31 Mich. 458, 193
v. First Judge, &c., 2 Hill (N. Y.), 398, 1017
v. Fishkill, &c., Co., 27 Barb. (N. Y.) 445, 50
v. Fort Edward, 70 N. Y. 28, 874
v. Fort St. &c., R. Co., 41 Mich. 413, 1092
v. Ft. Wayne, &c., R. Co., 92 Mich. 522, 1089, 1096c
v. Franklin, 5 Lans. (N. Y.) 129, 858
v. Fredericks, 48 Barb. (N. Y.) 173, 24
v. Gallagher, 93 N. Y. 438, 1665
v. Geneva, &c., Traction Co., N. Y. 78 N. E. 1109, 1082
v. Getzendaner, 137 Ill. 234, 874
v. Gillson, 109 N. Y. 389, 664
v. Gilon, 121 N. Y. 551, 1019
v. Gilon, 126 N. Y. 147, 787, 787a
v. Glann, 70 Ill. 232, 852, 856, 874
v. Goss, &c., Co., 99 Ill. 355, 98
v. Green, 64 N. Y. 499, 1690
v. Hamill, 134 Ill. 666, 832
v. Harris, 203 Ill. 272, 948a
People v. Haug, 68 Mich. 549, 666
v. Hawkins, 46 N. Y. 9, 918
v. Hayne, 83 Cal. 111, 1358d
v. Hildreth, 126 N. Y. 360, 1054
v. Hillsdale, &c., Co., 23 Wend. (N. Y.) 254, 49, 51
v. Hillsdale, &c., Co., 2 Johns. Y.) 190, 51
v. Hitchcock, 2 T. & C. (N. Y. Sup.) 134, 861, 862
v. Holdan, 91 Ill. 446, 852, 874
v. Holden, 82 Ill. 93, 851, 851a
v. Hughitt, 5 Lans. (N. Y.) 89, 858
v. Hulbert, 59 Barb. (N. Y.) 446, 858
v. Humphrey, 23 Mich. 471, 950
v. Hurlburt, 46 N. Y. 110, 879
v. Hynds, 30 N. Y. 470, 1014
v. Illinois Central R. Co., 215 Ill. 177, 738a
v. Improvement Co., 103 Ill. 491, 88
v. Jackson County, 92 Ill. 441, 843, 900 918
v. Jackson P. R. Co., 9 Mich. 285, 51, 53, 664
v. Kankakee, &c., Co., 103 Ill. 491, 48
v. Keeler, 99 N. Y. 463, 677
v. Kerr, 27 N. Y. 188, 980, 1088, 1096c
v. Kerr, 37 Barb. (N. Y.) 357, 976
v. King, 110 N. Y. 418, 1665
v. Kingston Turnpike R. Co., 23 Wend. (N. Y.) 193, 48, 49
v. Kip, 4 Cowen (N. Y.), 382, 157, 174
v. Knight, 171 N. Y. 354, 760, 1678
v. Kniskern, 54 N. Y. 52, 1013
v. Laenna, 67 Ill. 65, 823a
v. Lake Shore, &c., R. Co., 11 Hun, 1, 172
v. Lake Shore, &c., R. Co., 52 Mich. 277, 660, 1102, 1103
v. Levine, 85 Cal. 39, 1700
v. Lippincott, 81 Ill. 193, 906
v. Loew, 102 N. Y. 471, 925
v. Logan County, 63 Ill. 374, 859a, 860, 863, 842, 850, 873, 874
v. Long Island R. Co., 31 Hun (N. Y.), 125, 641, 724
v. Long Island R. Co., 134 N. Y. 506, 1114
v. Louisville, &c., R. Co., 120 Ill. 48, 329, 332, 431, 526, 641, 668, 920, 931a, 946, 1678
v. Louisville, &c., R. Co., 5 N. E. 379, 927a
v. Lynch, 51 Cal. 15, 862
v. McCreey, 34 Cal. 432, 737
v. McDonald, 69 N. Y. 362, 983
v. Manhattan Co., 9 Wend. (N. Y.) 351, 607
v. Manhattan, &c., R. Co., 45 Barb. 136, 1690
v. Marx, 99 N. Y. 377, 666
v. May, 27 Barb. (N. Y.) 238, 1053
v. Mayor, 4 N. Y. 419, 781, 782, 846, 950
v. Mayor, &c., 10 Wend. 393, 699
v. Mayor, &c., of New York, 32 Barb. (N. Y.) 102, 950
v. Medical Society, 24 Barb. (N. Y.) 570, 193
v. Michigan Cent. R. Co., 145 Mich. 140, 1689h

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

People v. Michigan, &c., R. Co., 3 Mich. 496, 1012, 1017
v. Milk Exchange, 133 N. Y. 565, 48, 49
v. Mitchell, 35 N. Y. 551, 1, 814, 843
v. Montecito, &c., Co., 97 Cal. 276, 18, 20, 36, 51
v. Morgan, 169 N. Y. 1, 180
v. Mott, 1 How. Pr. (N. Y.) 247, 172, 271
v. Murray, 5 Hill 468, 1008
v. Nassau Ferry Co., 33 N. Y. Supp. 244, 172
v. Nassau, &c., Co., 86 Hun, 128, 265
v. National Bank, 123 Cal. 63, 736a
v. National Trust Co., 82 N. Y. 283, 73, 611, 613
v. Newton, 48 Hun, N. Y. 477, 1096q
v. Newton, 112 N. Y. 396, 9, 39, 1080, 1096q
v. New York, &c., R. Co., 22 Hun, 533, 640, 1690, 1691, 1707, 1729
v. New York, &c., R. Co., 28 Hun, 543, 431, 458, 640, 1391, 1459, 1690
v. New York, &c., R. Co., 55 Hun, 409, 668, 724
v. New York, &c., R. Co., 25 Barb. (N. Y.) 199, 721, 1158
v. New York Cent. R. Co., 34 Barb. (N. Y.) 123, 950
v. New York, &c., R. Co., 45 Barb. (N. Y.) 73, 930
v. New York, &c., R. Co., 13 N. Y. 78, 721, 1158
v. New York, &c., R. Co., 74 N. Y. 302, 639, 718, 920, 1096an, 1105, 1106, 1108, 1109, 1112
v. New York, &c., R. Co., 89 N. Y. 266, 719
v. New York, &c., R. Co., 104 N. Y. 58, 638, 641, 642, 662, 674, 699, 954a
v. New York, &c., R. Co., 168 N. Y. 187, 1144
v. New York, &c., R. Co., 129 N. Y. 474, 331, 335, 339
v. New York Central Underground R. Co., 137 N. Y. 606, 47, 49, 53
v. North Chicago, Ry. Co., 88 Ill. 537, 50
v. Northern Pac. R. Co., 18 Fed. R. 471, 172
v. Northern R. R. Co., 42 N. Y. 217, 544
v. Northern R. R. Co., 53 Barb. (N. Y.) 98, 49, 50
v. North River, &c., Co., 22 Abbott New Cas. 164, 376
v. North River Sugar Refining Co., 121 N. Y. 582, 47, 337, 376
v. North River Sugar Ref., 19 N. Y. St. R. 853, 49
v. Norton, 1 Paige (N. Y.), 17, 556
v. Oakland County Bank, 1 Dougl. (Mich.) 282, 52
v. O'Brien, 45 Hun (N. Y.), 519, 59
v. O'Brien, 7 Am. St. R. 684, 611
People v. O'Brien, 111 N. Y. 1, 43, 69, 75, 322, 400, 489, 557, 611, 613, 1019, 1077, 1079, 1096l, 1096n
v. Ohio Grove Township, 51 Ill. 191, 917
v. Oldtown, 88 Ill. 202, 900, 917
v. Oliver, 1 T. & C. (N. Y.) 570, 858
v. Orange, &c., Co., 175 N. Y. 84 1336
v. Osborn, 20 Wend. (N. Y.) 186, 1053
v. Ottawa Hydraulic Co., 115 Ill. 281, 52
v. Pacific Co., 16 Fed. R. 344, 763
v. Pacific, &c., Co., 50 Barb. (N. Y.) 280, 172
v. Paton, 5 N. Y. St. R. 316, 98
v. Peck, 11 Wend. (N. Y.) 604, 164, 262
v. People's Ins. Exch., 126 Ill. 466, 1702
v. Pittsburgh, R. Co., 53 Cal. 694, 960, 961a
v. Placerville, &c., Co., 34 Cal. 656, 737
v. Plymouth, &c., Co., 32 Mich. 248, 49
v. Potrero, &c., R. Co., 67 Cal. 166, 966
v. President of California College, 38 Cal. 166, 1077, 1096L
v. President, &c., of Manhattan Co., 9 Wend. N. Y. 351, 1096ac
v. Preston, 140 N. Y. 549, 86
v. Pueblo County, 2 Colo. 360, 836, 861
v. Pullman Palace Car Co., 175 Ill. 125, 52
v. Railroad Commissioners, 160 N. Y. 202, 920a, 1096l
v. Railroad Commissioners, 92 App. Div. (N. Y.) 126, 920a
v. Railroad Commr's., 53 App. Div. (N. Y.) 61 674
v. Rathbone, 146 N. Y. 434, 1613
v. Raymond, 34 Cal. 492, 763
v. Remington, 45 Hun (N. Y.), 329, 605
v. Rensselaer, &c., R. Co., 15 Wend. (N. Y.) 113, 53, 966
v. Rensselaer, &c., R. Co., 30 Am. Dec. 33, 55
v. Richards, 38 Mich. 214, 1019, 1020
v. Richardson, 4 Cowen, 97, 54
v. Ridgley, 21 Ill. 65, 15
v. Robinson, 64 Cal. 373, 157
v. Rochester, 50 N. Y. 526, 955
v. Rochester, &c., R. Co., 76 N. Y. 294, 638, 1181
v. Rock Island, &c., R. Co., 71 Fed. R. 753, 1668
v. Rome, &c., R. Co., 103 N. Y. 95, 458, 526, 637, 641, 643, 1690
v. Rose, 210 Ill. 582, 19
v. St. Clair Circuit Judge, 31 Mich. 456, 551
v. St. Louis, &c., R. Co., 176 Ill. 512, 83, 1662c
v. St. Louis Elec. &c., R. Co., 122 Ill. App. 422, 642
v. St. Louis, 5 Gil. (Ill.) 351, 631
v. Salem, 20 Mich. 452, 1

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

People v. San Francisco, 27 Cal. 655, 860
v. Santa Anna, 67 Ill. 57, 823a, 879
v. Selfridge, 52 Cal. 331, 18
v. Smith, 45 N. Y. 772, 857, 858, 881, 902
v. Smith, 21 N. Y. 595, 952, 1021, 1013a
v. Spencer, 55 N. Y. 1, 857, 872
v. Stanford, 77 Cal. 360, 52, 53
v. State Treas, 23 Mich, 499, 818
v. Staton, 73 N. C. 546, 246
v. Sterling Mfg. Co., 82 Ill. 457, 98
v. Stites, 75 Cal. 570, 730
v. Stockton, &c., R. Co., 45 Cal. 306, 18, 106, 110
v. Stratton, 28 Cal. 382, 644
v. Sturtevant, 9 N. Y. 263, 575, 631, 1096ad, 1096n
v. Suburban R. Co., 178 Ill. 594, 1096p
v. Supervisors, 27 Cal. 655, 849
v. Supervisors, 17 N. Y. 235, 950
v. Supervisors, 88 Ill. 202, 858
v. Supervisors, 88 Ill. 469, 862
v. Sutton St. R. Co., 117 Cal. 604, 1096j
v. Tax Commissioners, 104 N. Y. 240, 31
v. Taylor, 34 Barb, (N. Y.) 481, 1017
v. Third Ave. Savings Bank, 50 How. Pr. (N. Y.) 22, 561
v. Thompson, 21 Wend. (N. Y.) 235, 48
v. Thompson, 98 N. Y. 6, 39, 1076
v. Throop, 12 Wend. (N. Y.) 183, 172, 193, 271
v. Tibbets, 4 Cowen (N Y.), 358, 162
v. Tighe, 30 N. Y. Supp. 368, 665
v. Tilton, 37 Cal. 614, 680
v. Troy, &c., R. Co., 37 How. Pr. (N. Y.) 427, 1105
v. Trustees, &c., 78 Ill. 136, 847
v. Trustees of Geneva College, 5 Wend. (N. Y.) 211, 53
v. Tubbs, 49 N. Y. 356, 1014
v. Ulster, &c., R. Co., 128 N. Y. 240, 47, 49, 52, 696
v. Union Pac. R. Co., 20 Colo. 186, 1110, 1111
v. Utica, &c., Co., 22 Ill. App. 159, 1455, 1584
v. Utica Ins. Co., 15 John. (N. Y.) 358, 21, 48, 53, 88, 235, 644
v. Van Valkenburg, 63 Barb. (N. Y.) 105, 858
v. Wabash, &c., R. Co., 104 Ill. 476, 1682
v. Walter, 2 Hun, 385, 917
v. Walker, 9 Mich. 328, 172
v. Walker, 17 N. Y. 502, 62
v. Wasson, 64 N. Y. 167, 1004
v. Waynesville, 88 Ill. 469, 828, 849, 852, 857, 874
v. Weaver, 100 U. S. 539, 751
v. Webster, 10 Wend. (N. Y.) 554, 207, 241
v. Weigley, 155 Ill. 491, 609
v. Wemple, 138 N. Y. 1, 760
v. Wemple, 131 N. Y. 64, 26, 30, 760
v. Williamsburg, &c., Co., 47 N. Y. 586, 52
v. Warden, 157 N. Y. 116, 1599
People v. Wilson, 119 N. Y. 515, 751a
People's Bank v. Fancher, 21 N. Y. Supp. 545, 561
v. Gridley, 91 Ill. 457, 98
People's &c., Bank v. Stewart, 3 P. & B. (19 New Bruns.) 268, 1426
People's Gaslight Co. v. Chicago Gaslight & C. Co., 20 Ill. App. 473, 372
v. Chicago, 194 U. S. 1, 525a
v. Tyner, 131 Ind. 277, 631
People's Home Sav. Bank v. Superior Court, 104 Cal. 649, 162, 193
People's Mut. Ins. Co. v. Westcott, 14 Gray (Mass.), 440, 136, 164
People's Passenger R. Co. v. Green, 56 Md. 84, 1783
Peoples R. Co., In re, 112 N. Y. 578, 1096q
Peoples R. Co. v. Grand Ave. R. Co., 149 Mo. 245, 1096au
v. Memphis Railroad, 10 Wall. 38, 65, 66, 1076, 1081, 1096aa, 1096g
v. Syracuse, &c., R. Co., 22 Abb. N. Cas. (N. Y.) 427, 1135
Peoples Rapid Transit Co., Matter of, 125 N. Y. 93, 1096a
People's Rapid Transit Co. v. Dash, 125 N. Y. 93, 7
Peoples' Traction Co. v. Atlantic City, 71 N. J. L. 134, 1096v
People's &c., Co. v. Gillard, 136 Cal. 55, 1060a
People's &c., R. Co. v. Lauderbach, (Pa. St.) 3 Atl. R. 672, 1635
v. Memphis, 16 S. W. 973, 1081
Peoria v. Johnston, 56 Ill. 45, 981
Peoria Gaslight, &c., Co. v. Peoria, &c., R. Co., 146 Ill. 372, 1036, 1040
Peoria, &c., Ins. Co. v. Hall, 12 Mich. 202, 1514
Peoria, &c., Co. v. Hickey, 110 Ia. 276, 576
Peoria, &c., R. Co. v. Attica, &c., R. Co., 154 Ind. 218, 400, 401, 938, 949
v. Barnum, 107 Ill. 160, 1039
v. Barton, 80 Ill. 72, 1181, 1193, 1195, 1198, 1201, 1214
v. Barton, 38 Ill. App. 469, 1057d
v. Birkett, 62 Ill. 332, 999
v. Black, 58 Ill. 33, 1026
v. Bryant, 57 Ill. 473, 960, 1030
v. Champ, 75 Ill. 577, 1204
v. Chicago, &c., R. Co., 109 Ill. 135, 1394, 1395, 1398, 1685
v. Chicago, &c., R. Co., 127 U. S. 200, 582
v. Coal Valley Min. Co., 68 Ill. 489, 332
v. Duggan, 109 Ill. 537, 668, 669, 1183, 1216, 1220
v. Elting, 17 Ill. 429, 45, 150
v. Frost, 37 Ill. 333, 1233
v. Hardwick, 48 Ill. App. 562, 1278a
v. Johns, 43 Ill. App. 83, 1332, 1820
v. Lane, 83 Ill. 448, 477, 1631
v. Laurie, 63 Ill. 264, 1028
v. Lyons, 9 Ill. App. 350, 1105
v. Mitchell, 74 Ill. 394, 1033
v. People, 116 Ill. 411, 836, 918
v. Peoria, &c., R. Co., 105 Ill. 110, 1035a, 1053, 1127
v. Peoria, &c., R. Co., 66 Ill. 174, 964, 1045, 1119

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Peoria, &c., R. Co. v. Preston, 35 Iowa, 115, 45, 111, 111a, 163
v. Puckett, 42 Ill. App. 642, 1296
v. Puckett, 52 Ill. App. 222, 1296
v. Reynolds, 88 Ill. 418, 1586
v. Rice, 144 Ill. 227, 1699
v. Rice, 75 Ill. 329, 1003, 1025, 1033
v. Ross, 55 Ill. App. 638, 1272
v. Sawyer, 71 Ill. 361, 995, 1039
v. Schertz, 84 Ill. 135, 1055
v. Siltman, 88 Ill. 529, 1156
v. Tamplin, 156 Ill. 285, 948
v. Thompson, 103 Ill. 187, 89, 372, 373, 484, 494, 522, 530
v. United States, &c., Co., 136 Ill. 643, 1394, 1398, 1412, 1718
v. United States, 28 Ill. App. 79, 1398
v. Warner, 61 Ill. 52, 1019
v. Vance, 80 N. E. 134, 1040a
Pepercorn v. Black River Falls, 89 Wis. 38, 1820
Pepper v. George, 51 Ala. 190, 226
v. Southern, &c., R. Co., 105 Cal. 389, 1378
Peppin v. Cooper, 2 B. & Ald. 431, 232
Percy v. Metropolitan St. R. Co., 58 Mo. App. 75, 1096da, 1602
v. Millaudon, 9 La. 326 (6 Mart. N. S. 616), 87
v. Millaudon, 8 Mart. (La.) 68, 280
v. Millaudon, 3 La. 568, 163, 224, 281
Perdue v. Louisville, &c., R. Co., 100 Ala. 535, 1795
Pereira v. Central Pac. R. Co., 66 Cal. 92, 364, 1434, 1435
Pereles v. City of Watertown, 8 Biss. 79, 1007
Pere Marquette R. Co. v. Baertz, 36 Ind. App. 408, 1070, 1073, 1074a
v. Smith, 36 Ind. App. 439, 1070, 1074a
v. Wabash R. Co., 141 Mich. 215, 451
Perham v. Portland, &c., Co., 33 Ore. 451, 1361a
Perine v. North Jersey St. R. Co., 69 N. J. L. 230, 1785
Perkins v. Corbin, 45 Ala. 103, 677, 705
v. Eastern, &c., R. Co., 29 Me. 307, 1163, 1180
v. Hendryx, 23 Fed. R. 418, 656
v. Hendryx, 40 Fed. R. 657, 646, 654
v. Lake Superior, &c., R. Co., 140 Fed. 906, 650
v. Lewis, 24 Ill. 208, 816
v. Maine Cent. R. Co., 72 Me. 95, 948, 949, 1048
v. Missouri, &c., Co., 55 Mo. 201, 213, 1637, 1789
v. New York Cent. R. Co., 24 N. Y. 196, 1501, 1608
v. Northern Pac. R. Co., 155 Fed. 445, 1688c
v. Portland, &c., R. R. Co., 47 Me. 573, 42, 212, 303, 356, 373, 492, 1434, 1435
v. Port Washington, 37 Wis. 177, 873
v. Pritchard, 3 Eng. Ry. & Can. Cas. 95, 496
v. St. Louis, &c., Ry. Co., 103 Mo. 52, 669, 1183, 1184, 1207, 1220
v. Smith, 1 Wils. 328, 1519, 1526
v. Stewart, 75 Minn. 21, 527
v. Stickney, 132 Mass. 217, 1782
Perkins v. Union, &c., Co., 12 Allen (Mass.), 273, 177
v. Washington Ins. Co., 4 Cow. (N. Y.) 645, 210
v. Wright, 37 Ind. 27, 1653
Perley v. Boston, &c., R. Co., 57 N. H. 212, 1004, 1005
v. Chandler, 6 Mass. 453, 1085
v. Eastern, &c., R. Co., 98 Mass. 414, 1223, 1231, 1799
v. New York, &c., R. Co., 65 N. Y. 374, 1649
Perrault v. Minneapolis, &c., R. Co., 117 Wis. 520, 1185
Perrin v. Granger, 30 Vt. 595, 149, 156
v. New London, 67 Wis. 416, 826
Perrine v. Chesapeake, &c., Canal Co., 9 How. (U. S.) 172, 38, 41, 340
v. Fireman's Ins. Co., 22 Ala. 575, 101
v. North Jersey St. R. Co., 69 N. J. L. 230, 1096da
Perry v. Central R. Co., 66 Ga. 746, 1628, 1840
v. Chicago, &c., R. Co., 89 Mo. App. 49, 1730
v. Dubuque, &c., R. Co., 36 Iowa, 102, 1185
v. Duluth, &c., R. Co., 56 Minn. 306, 1068
v. Florida Cent. R. Co., 3 Interst. Com. 740, 1682, 1686
v. Florida, &c., R. Co., 5 Interst. Com. Com. 97, 1684
v. Keene, 56 N. H. 514, 814
v. Lehigh, &c., R. Co., 30 N. Y. Supp. 140, 999
v. Little Rock, &c., R. Co., 44 Ark. 383, 14
v. Malarin, 107 Cal. 363, 1584
v. Michigan Central, &c., R. Co., 108 Mich. 130, 1278, 1299, 1309
v. New Orleans, &c., Co., 55 Ala. 413, 1076, 1087, 1096
v. Old Colony R. Co., 164 Mass. 296, 1338
v. Pearson, 135 Ill. 218, 291
v. Pittsburg, &c., R. Co., 153 Pa. St. 236, 1096da
v. Southern Pac. R. Co., 50 Cal. 578, 1226, 1231
v. St. Joseph, &c., R. Co., 29 Kan. 420, 1367, 1372
v. Thompson, 98 Mass. 249, 1502
v. Tuscaloosa, &c., Co., 93 Ala. 364, 89, 275
Perry Co. v. Fink, 65 Ark. 492, 671a
Perry County, &c., R. Co. v. Newport, &c., R. Co., 150 Pa. St. 193, 1116, 1121, 1122, 1124
Perryman v. Greenville, 51 Ala. 507, 1008
Pershing v. Chicago, &c., R. Co., 71 Iowa, 561, 1587, 1588, 1696
Person v. Leary, 126 N. C. 504, 555
Peru v. Gleason, 91 Ind. 566, 969
Peru, &c., Co. v. Hanna, 68 Ind. 562, 786, 788
Peru, &c., R. Co. v. Hasket, 10 Ind. 409, 1207, 1264
Peruvian R. Co. v. Thames, &c., Ins. Co., L. R. 2 Ch. App. Cas. 617, 268, 480
Peschel v. Chicago, &c., R. Co., 62 Wis. 338, 1316

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Peter v. Chicago, &c., R. Co., 121 Mich. 324, 1234, 1238
v. Thickstun, 51 Mich. 589, 1724
Peterborough R. Co. v. Wood, 61 N. H. 418, 293
Peter der Grosse, The, L. R. 1 Prob. Div. 414, 1420
Peter Townsend, Matter of, 39 N. Y. 171, 956
Peters v. Boston, &c., R. Co., 114 Mass. 127, 339, 444
v. Bowman, 115 Cal. 345, 1259
v. Lincoln, &c., R. Co., 14 Fed. R. 319, 438
v. Lincoln, &c., R. Co., 12 Fed. R. 513, 438
v. Lincoln, &c., R. Co., 2 McCrary (U. S.), 275, 385
v. Foster, 56 Hun (N. Y.), 607, 555
v. Hastings, &c., R. Co., 19 Minn. 260, 1053
v. Marietta, &c., R. Co., 42 Ohio St. 275, 1564
v. New Orleans, &c., R. Co., 16 La. Ann. 222, 1545, 1549, 1550
v. Railroad Co., 42 Ohio St. 275, 1560
v. St. Louis, &c., R. Co., 24 Mo. 586, 1061, 1065
v. St. Louis, &c., R. Co., 23 Mo. 107, 1065
v. Stewart, 72 Wis. 133, 1194
Petersburg, &c., Ins. Co. v. Dellatorre, 70 Fed. 643, 585
Petersburg Sav., &c., Co. v. Lumsden, 75 Va. 327, 101
Petersburgh R. Co. v. Northampton County, 81 N. Car. 487, 750
Peterson v. Atlantic, &c., R. Co., 120 Ga. 967, 940
v. Case, 21 Fed. R. 885, 1432, 1443, 1449
v. Chicago, &c., R. Co., 67 Mich. 102, 1298a
v. Chicago, &c., R. Co., 80 Iowa, 92, 1445, 1651, 1658
v. Chicago, &c., R. Co., 119 Wis. 197, 1378c, 1625a, 1645
v. Chicago, &c., R. Co., 102 N. W. 595, 1548a, 1549
v. Ferreby, 30 Iowa, 327, 1053
v. Illinois, &c., Co., 6 Bradw. (Ill.) 257, 315
v. Roessler & Co., 131 Fed. 156, 1798
v. Sherry, &c., Co., 90 Wis. 83, 1290
v. New Pittsburg, &c., R. Co., 149 Ind. 260, 1286
v. Peoples, &c., Assn., 124 Mich. 573, 128
v. St. Louis Transit Co., 114 Mo. App. 374, 1096cj
v. Seattle Trac. Co., 23 Wash. 615, 1333c
v. South, &c., R. Co., 55 S. E. 618, 1248, 1255
Petitioner Farmers' L. & T. Co., 129 U. S. 206, 840
Petition for a Highway, &c., 48 N. H. 433, 1046
Petition of Brown, 14 R. I. 371, 307
Petition of Fowler, 9 Abb. N. C. (N. Y.) 268, 583
Petition of Kennett, 24 N. H. 139, 976
Petition of Kerr, In re, 42 Barb. (N. Y.) 119, 6, 953, 967, 1096f
Petition of LeBlanc, In re, 14 Hun (N. Y.), 8, 613
Petition of Mount Washington Road Co., 35 N. H. 134, 950, 991, 995, 1012, 1050
Petition of Nashua, 12 N. H. 425, 1015
Petition of New Boston, 49 N. H. 328, 1015
Petition of New York El. R. Co., Matter of, 70 N. Y. 327, 52
Petition of Providence, &c., R. Co., 17 R. I. 324, 966, 1010
Petition of Third Avenue R. Co., In re, 121 N. Y. 536, 9
Peto v. Brighton, M. & T. W. Ry. Co. 1 H. & Miller, 468, 502, 936, 1062
Petri v. Bank, 142 U. S. 644, 1358d
v. Creelman Lumber Co., 199 U. S. 487, 1358e
Petrie v. Columbia, &c., Co., 27 S. C. 63, 218
v. Columbia, &c., R. Co., 29 S. Car. 303, 1164, 1368
v. Pennsylvania, &c., R. Co., 42 N. J. L. 449, 1594, 1595
Petry v. Ambrosher, 100 Ind. 510, 1429
Pettibone v. La Crosse, &c., R. Co., 14 Wis. 443, 629, 1004, 1008, 1048
Pettigrew v. Barnum, 11 Md. 434, 1647
Pettingill v. Androscoggin R. Co., 51 Me. 370, 626
v. Rideout, 6 N. H. 454, 1359
Pettia v. Atkins, 60 Ill. 454, 190
Pettis v. Johnson, 56 Ind. 139, 1096
Pettus v. Georgia R., &c., Co., 3 Woods (U. S. C. C.), 620, 646
Petty v. Hannibal, &c., R. Co., 88 Mo. 306, 1153
v. Myers, 49 Ind. 1, 820, 858
v. St. Louis, &c., R. Co., 179 Mo. 666, 1096cp
v. Tooker, 21 N. Y. 267, 644
Petzel v. Chicago, &c., R. Co., 103 Ill. App. 210, 1040
Peyser v. Metropolitan Elev. R. Co., 13 Daly (N. Y.), 122, 1056a
Peyton v. Chicago, &c., R. Co., 70 Iowa, 522, 1194
v. Texas, &c., R. Co., 46 La. Ann. 861, 1828
Pfaelzer v. Pullman, &c., Co., 4 Weekly N. C. 240, 1616, 1622
Pfaender v. Chicago, &c., R. Co., 86 Minn. 218, 1049, 1049d
Pfaff v. Terre Haute, &c., Co., 108 Ind. 144, 5, 738a, 750, 938
Pfaffenback v. Lake Shore, &c., R. Co., 142 Ind. 246, 1610, 1844
Pfeffer v. Buffalo R. Co., 24 N. Y. S. 490, 1096cy
v. Missouri Pac. R. Co., 98 Mo. App. 291, 1243
Pfeifer v. Sheboygan, &c., R. Co., 18 Wis. 155, 1048
Pfeiffer v. Brown, 165 Pa. St. 267, 1057f
Pfingst v. Senn, 94 Ky. 556, 631
Pfister v. Central, &c., R. Co., 70 Cal. 169, 1394, 1453, 1465, 1466, 1629, 1647, 1649
v. State, 82 Ind. 382, 917
Pflegar v. Hastings, &c., R. Co., 28 Minn. 510, 977, 996
Pfleger, In re, L. R. 6 Eq. 426, 1003, 1025
Pharr v. Collins, 35 La. Ann. 939, 1570
Phelan, In re, 62 Fed. R. 803, 1688
Phelan v. Albany, &c., R. Co., 1 Lans. (N. Y.) 258, 1058

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Phelan v. Ganebin, 5 Colo. 14, 626
v. Hazard, 5 Dill. (U. S.) 45, 91, 110
Phelps v. Chicago, &c., R. Co., 122 Mich. 171, 1269, 1290
v. Comber, L. R. 29 Ch. Div. 813, 1540, 1542
v. Farmers', &c., Bank, 26 Conn. 269, 76, 174, 305, 310, 321
v. Illinois Co., 94 Ill. 548, 1466
v. Lewiston, 15 Blatchf. 131, 897
v. London R. Co., 19 C. B. (N. S.) 321, 1647, 1649a
v. Texas, &c., R. Co., 4 Interst. Com. 363, 16841, 1686
v. Winona, &c., R. Co., 37 Minn. 485, 1177
Phelps & Co. v. Conant & Co., 30 Vt. 277, 1243a
Phenix, &c., Co. v. Erie, &c., Co., 117 U. S. 312, 1488, 1670
v. Pennsylvania R. Co., 134 Ind. 215, 1233
Phettiplace v. Northern Pac. R. Co., 84 Wis. 412, 1603
Phifer v. Carolina Central R. Co., 72 N. Car. 433, 1049, 1053
v. Carolina Central R. Co., 89 N. Car. 311, 1438
Philadelphia v. Dyer, 41 Pa. St. 463, 1006
v. Empire Pass. R. Co., 3 Brews. (Pa.) 570, 1092
v. Empire Pass. R. Co., 7 Phila. (Pa.) 321, 1096am
v. Field, 58 Pa. St. 320, 825
v. Friday, 6 Phila. 275, 630
v. Greble, 38 Pa. St. 339, 789
v. Hestonville, &c., R. Co., 177 Pa. St. 371, 1096am
v. Lombard, &c., R. Co., 3 Grant (Pa.) 403, 1081, 1096ag
v. McManes, 175 Pa. St. 28, 1096a
v. Philadelphia, &c., Co., 33 Pa. St. 41, 786
v. Philadelphia Traction Co., 206 Pa. St. 35, 745a
v. Philadelphia, &c., R. Co., 177 Pa. St. 292, 70, 785, 1096am
v. Railway Co., 8 Phila. 648, 630
v. Ridge Ave. R. R. Co., 102 Pa. St. 190, 76
v. Ridge Ave. R. Co., 143 Pa. St. 444, 1081, 1092, 1096ak
v. Ridge Ave. R. Co., 142 Pa. St. 484, 1096bl
v. Ridge Ave. R. R. Co., 102 Pa. St. 190, 76
v. River, &c., R. Co., 133 Pa. St. 134, 1076
v. Spring Garden, &c., Co., 161 Pa. St. 522, 1092
v. Thirteenth St. R. Co., 169 Pa. St. 269, 1096al, 1096am
v. Tyron, 35 Pa. St. 401, 782
v. Ward, 174 Pa. St. 45, 972
v. Washington, &c., R. Co., 65 Atl. 422, 1096bq
v. Western U. Tel. Co., 11 Phila. 327, 71
v. Wright, 100 Pa. St. 235, 1007
Philadelphia & Reading Co., Appeal of (Pa.), 4 Am. & Eng. R. R. Cas. 118, 482
Philadelphia Trac. Co. v. Bernheimer, 125 Pa. St. 615, 1096cp
Philadelphia v. Lightcap, 61 Fed. 762, 1096cn
Philadelphia, &c., Assn. v. Hart, 4 Wheat. 1, 409
v. New York, 119 U. S. 110, 766
Philadelphia, &c., R. Co., In re, 6 Wharton (Pa.), 25, 1054, 1087
Philadelphia, &c., R. Co., In re, 7 Phila. 461, 1027
Philadelphia, &c., R. Co., In re, 203 Pa. 354, 952a
Philadelphia, &c., R. Co.'s Appeal (Pa.), 4 A. & Eng. R. R. Cas. 118, 342, 482
Philadelphia, &c., R. Co.'s Appeal, 102 Pa. St. 123, 66, 69, 968
Philadelphia, &c., R. Co., Appeal of, 120 Pa. St. 90, 967
Philadelphia, &c., R. Co. v. Allen, 102 Md. 110, 1689a
v. Alvord, 128 Pa. St. 42, 1846
v. Anderson, 94 Pa. St. 351, 471, 474, 1455, 1584, 1628
v. Anderson, 20 Am. St. 483, 1644
v. Appeal Tax Court, 50 Md. 397, 456, 743b
v. Barnard, 3 Ben. (U. S. C. C.) 39, 1559
v. Beck, 125 Pa. St. 620, 1435, 1440, 1490
v. Bowers, 4 Houst. (Del.) 506, 664
v. Boyer, 97 Pa. St. 91, 711, 1096ck, 1135, 1155, 1157, 1178, 1643
v. Cake, 95 Pa. St. 139, 1041
v. Carr, 99 Pa. St. 505, 1163
v. Catawissa R. Co., 53 Pa. St. 20, 327
v. Commonwealth, 104 Pa. St. 80, 581
v. Conway, 177 Pa. St. 364, 112
v. Cooper, 105 Pa. St. 239, 1049
v. Cowell, 28 Pa. St. 329, 103, 104, 107, 311
v. Davis, 68 Md. 281, 1057f
v. Derby, 14 How. (U. S.) 468, 198, 213, 1389, 1585, 1590, 1604, 1606, 1637, 1638, 1643
v. Devers, 101 Md. 341, 1298, 1316
v. Dows, 15 Phila. (Pa.) 101, 1572
v. Ervin, 89 Pa. St. 71, 711, 1155
v. Fronk, 67 Md. 339, 1150, 1154
v. Gibson, 8 Watts (Pa.), 242, 990
v. Hagan, 47 Pa. St. 244, 1160
v. Harper, 29 Md. 330, 1458, 1658
v. Hendrickson, 80 Pa. St. 182, 1221, 1238, 1244
v. Henrice, 92 Pa. St. 431, 1096cd, 1701
v. Hickman, 28 Pa. St. 318, 42, 106, 110, 111, 134, 177, 342
v. Hoelflich, 62 Md. 300, 1637
v. Hogeland, 66 Md. 149, 1153, 1156, 1174, 1178
v. Howard, 13 How. (U. S.) 307, 1058, 1061, 1062
v. Huber, 128 Pa. St. 63, 1288, 1314
v. Hughes, 119 Pa. St. 301, 1270, 1275, 1278, 1309, 1327
v. Hummell, 44 Pa. St. 375, 972, 1152, 1154, 1248, 1253, 1257
v. Johnson, 54 Pa. St. 127, 509, 514
v. Killips, 88 Pa. St. 405, 1157, 1171
v. Larkin, 47 Md. 155, 1637
v. Layer, 112 Pa. St. 414, 1169

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

Philadelphia, &c., R. Co. v. Lehman, 56 Md. 209, 117, 1449, 1484, 1520, 1545, 1547, 1555, 1556a
v. Lewis, 33 Pa. St. 33, 480, 484
v. Long, 75 Pa. St. 257, 1262
v. Love, 125 Pa. St. 488, 533, 534
v. Maryland, 10 How. (U. S.) 376, 330, 335, 606, 747
v. Obert, 109 Pa. St. 193, 938
v. Ohio, &c., R. Co., 41 Fed. 378, 567
v. Orbann, 119 Pa. St. 37, 1267a, 1802
v. Peebles, 67 Fed. R. 591, 1164, 1166, 1170
v. Pennsylvania, &c., R. Co., 151 Pa. St. 569, 1025
v. Philadelphia, 9 Phila. (Pa.) 563, 963, 1098, 1104
v. Philadelphia, &c., R. Co., 1 Pa. Dist. Ct. 73, 923
v. Philadelphia, &c., Co., 23 How. (U. S.) 209, 1057
v. Ramsey, 89 Pa. St. 474, 1435
v. Rice, 64 Md. 63, 1594
v. Schertle, 97 Pa. St. 420, 1272
v. Schultz, 93 Pa. St. 341, 1224, 1238, 1244
v. Smith, 105 Pa. St. 195, 486
v. State, 10 How. (U. S.) 376, 330, 335, 606
v. State, 58 Md. 372, 1320
v. State, 20 Md. 157, 948a
v. Stichter, 11 W. N. Cas. (Pa.) 325, 342
v. Stichter, 21 Am. Reg. (U. S.) 713, 342
v. Troutman (Pa.), 6 Am. & Eng. R. Cas. 117, 1154
v. Troutman, 11 W. N. C. (Pa.) 453, 1252
v. Williams, 54 Pa. St. 103, 4, 923, 930, 954, 971, 1004, 1025
v. Wilmington City R. Co. (Del.) 38 Atl. 1067, 1096c
v. Winkler, 56 Atl. 112, 1296b
v. Wiseman, 88 Pa. St. 264, 1431, 1536
v. Woelpper, 64 Pa. St. 366, 486, 497, 509
v. Yeiser, 8 Pa. St. 366, 1235
v. Yerger, 73 Pa. St. 121, 1225, 1242
Philadelphia, &c., S. Co. v. Stebbing, 62 Md. 504, 711, 1155, 1160, 1697, 1701
v. Pennsylvania, 122 U. S. 326, 758, 762, 765, 1670, 1687
Philadelphia, &c., Co. v. Holden, 93 Md. 417, 1167
v. Inter City Link R. Co., 62 Atl. 184, 1025
v. Philadelphia, 11 Phila. (Pa.) 358, 1092, 1096am, 1096aj
v. Towner, 13 Conn. 249, 369
Philips, &c., In re, L. R. 6 Eq. 250, 1025
Philips v. Bailey, 82 Mo. 639, 507
v. Knox, &c., Ins. Co., 20 Ohio, 174, 168
v. Wickham, 1 Paige (N. Y.), 590, 162, 248
Phillbrook v. Emswiller, 92 Ind. 590, 421
Philleo v. Sanford, 17 Tex. 227, 1457
Phillip v. Aurora Lodge, 87 Ind. 505, 250
Phillips v. Albany, 28 Wis. 340, 52, 859, 859a, 900
Phillips v. Ash, 63 Ala. 414, 1363
v. Bevans, 23 N. J. L. 373, 713
v. Burlington Library Co., 141 Pa. St. 462, 621
v. Chicago, &c., R. Co., 64 Wis. 475, 1248, 1313, 1321, 1322
v. Coffee, 17 Ill. 154, 411
v. Detroit, &c., R. Co., 111 Mich. 274, 1167, 1179b
v. Dunkirk, &c., R. Co., 78 Pa. St. 177, 951, 955, 1096
v. Durham, &c., R. Co., 138 N. C. 12, 1227, 1231
v. Earle, 8 Pick. 182, 1421, 1491
v. Eastern R. R. Co., 138 Mass. 122, 83, 320
v. Eyre, L. R. 6 Q. B. 1, 1366
v. Foxall, L. R. 7 Q. B. 666, 232
v. Great Western R. Co., L. R. 7 Ch. 409, 363, 668
v. Milwaukee, &c., R. Co., 77 Wis. 349, 1162, 1701
v. Missouri, &c., R. Co., 86 Mo. 540, 1183, 1219
v. Moore, 100 U. S. 208, 397
v. New York, &c., R. Co., 84 Hun, 412, 1264
v. North Carolina R. Co., 78 N. C. 294, 303, 1434, 1435, 1436
v. Postal, &c., Co., 130 N. Car. 513, 1000, 1025
v. Rensselaer, &c., R. Co., 49 N. Y. 177, 1628
v. Sherman, 61 Me. 548, 1025
v. Southern R. Co., 114 Ga. 284, 1593a, 1603
v. Southern R. Co., 124 N. Car. 123, 1579
v. Watson, 63 Iowa, 28, 923, 961
v. Winslow, 18 B. Mon. (Ky.) 431, 31, 389, 489, 490, 497, 498
v. Winslow, 57 Ky. 431, 497
Phillipsburg Bank v. Lackawanna R. Co., 27 N. J. L. 206, 624
Philpott v. Pennsylvania R. Co., 175 Pa. St. 570, 1378b
Phinizy v. Augusta, &c., R. Co., 62 Fed. 678, 323, 326, 491
v. Augusta, &c., R. Co., 98 Fed. 776, 585
v. Augusta, &c., R. R. Co., 56 Fed. R. 273, 28, 586
v. Augusta, &c., R. R. Co., 63 Fed. R. 922, 528
v. Murray, 83 Ga. 747, 306
Phippin v. Missouri Pac. R. Co., 196 Mo. 321, 1314
Phipps v. Harding, 70 Fed. 468, 1663
v. London, &c., R. Co., L. R. (1892) 2 Q. B. 229, 1676, 1684g
v. West Maryland R. Co., 66 Md. 319, 1087
P. H. Norman, &c., Co. v. Edington, &c., 115 Tenn. 309, 1071
Phœnix &c., Insurance Co. v. Batchen, 6 Ill. App. 621, 1072, 1073
v. Erie, &c., Co., 117 U. S. 312, 1509, 1627
v. Erie, &c., Co., 10 Biss. 18, 1509
v. Pennsylvania R. Co., 134 Ind. 215, 1234
v. Tennessee, 161 U. S. 174, 330, 746
Phœnix Iron Co. v. Commonwealth, 113 Pa. St. 563, 172

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Phœnix, &c., Works v. Pittsburgh, &c., R. Co., 139 Pa. St. 284, 1505, 1516
Phœnix Warehousing Co. v. Badger, 67 N. Y. 294, 103, 133, 184
Phœnix, &c., R. Co. v. Arizona Eastern R. Co., 84 Pac. 1097, 796, 800
Phœnixville v. Phœnixville Iron Co., 45 Pa. St. 135, 1096ak
Phosphate Co. v. Erlanger, L. R. 5 Ch. Div. 73, 11
Phosphate of Lime Co., Re, 24 L. T. 932, 136
Phosphate Sewage Co. v. Hartmont, L. R. 5 Ch. Div. 394, 11
Phosphate, &c., Co. v. Green, L. R. 7 C. P. 43, 154, 177
Picard v. East Tennessee, &c., R. Co., 130 U. S. 637, 63, 746, 748, 749
Pickard v. Pullman, &c., Co., 117 U. S. 34, 755, 758, 760, 762, 1671
v. Smith, 10 C. B. (N. S.) 470, 1064
Pickens v. Richmond, &c., R. Co., 104 N. Car. 312, 1637
Pickering v. Busk, 15 East, 38, 212, 1426
v. Ilfracombe R. Co., 37 L. J. (C. P.) 118, 145
v. Ilfracombe R. Co., L. R. 3 Com. P. 235, 496
Pickert v. Ridgefield Park R. Co., 25 N. J. Eq. 316, 934, 949, 1049
Pickett v. Abney, 84 Tex. 645, 48, 266
v. Bullock, 52 N. H. 354, 1075
v. Downer, 4 Vt. 21, 1520
v. Southern R. Co., 69 S. Car. 445, 1774
v. Wilmington, &c., R. Co., 117 N. Car. 616, 1250, 1251, 1257
Pickford v. Grand Junction, &c., R. Co., 8 Mees. & W. 372, 1465, 1466, 1558, 1691
v. Grand Junction, &c., R. Co., 10 Mees. & W. 399, 1678
v. Grand Junction, &c., R. Co., 12 Mees. & W. 766, 1393, 1406, 1466, 1520, 1691
v. Mayor of Lynn, 98 Mass. 491, 1001, 1054
Piddock v. Union, &c., R. Co., 5 Utah, 612, 1269
Pieart v. Chicago, &c., R. Co., 82 Iowa, 148, 1314
Piedmont Mfg. Co. v. Columbia, &c., R. Co., 19 S. C. 353, 303, 1393, 1396, 1417, 1433, 1435, 1502, 1691
Piedmont, &c., R. Co. v. McKenzie, 75 Md. 458, 1057d
v. Speelman, 67 Md. 260, 18, 957, 1049, 1049a
Piehl v. Albany R. Co., 19 App. Div. (N. Y.) 471, 1779
Piek v. Chicago, &c., R. Co., 6 Biss. 177, 705, 763
Pier v. Finch, 24 Barb. 514, 1598
Pierce v. Boston, &c., R. Co., 141 Mass. 481, 402, 931
v. Burrough, 58 N. H. 302, 307
v. Camden, &c., R. Co., 58 N. J. L. 400, 1096bw
v. Carelton, 12 Ill. 358, 625
v. Central, &c., R. Co., 73 Iowa, 140, 1355
v. Chicago, &c., R. Co., 36 Wis. 283, 627
v. Commonwealth, 104 Pa. St. 150, 2, 33
Pierce v. Concord, &c., R. Co., 51 N. H. 590, 1237
v. Conners, 12 Colo. 178, 1378
v. County Comrs., 63 Me. 252, 1041
v. Emery, 32 N. H. 484, 71, 75, 342, 385, 427, 431, 488, 497, 520, 958
v. Evans, 61 Pa. St. 415, 383
v. Milwaukee Construction Co., 38 Wis. 253, 182
v. Milwaukee, &c., R. Co., 24 Wis. 551, 489, 493, 497
v. New Hampshire, 5 How. 554, 1663
v. New Orleans, &c., Co., 9 La. 397, 341
v. North Carolina R. Co., 124 N. Car. 83, 1255
v. Randolph, 12 Tex. 290, 202
v. Somersworth, 10 N. H. 369, 968a
v. Southern Pac. R. Co., 120 Cal. 156, 1474, 1505, 1510
v. Union Pac. R. Co., 66 Fed. R. 44, 1388
v. Worcester, &c., R. Co., 105 Mass. 199, 996, 1005, 1049, 1223
Piercy v. Metropolitan R. Co., 30 Misc. (N. Y.) 612, 1096cl
Pierre v. Dunscomb, 106 Fed. 617, 906
v. North Carolina R. Co., 124 N. Car. 83, 1255
Pierse v. Merrill, 19 Wash. 178, 918
Pierson v. Boston, &c., R. Co., 191 Mass. 223, 1035a, 1036, 1037
v. Chicago, &c., R. Co., 127 Ia. 13, 1296
v. Chicago, &c., R. Co., 116 Ia. 601, 1795
v. Cincinnati, &c., Canal Co., 2 Disney (Ohio), 100, 949
Pietreid v. Wabash R. Co., 129 Ia. 249, 1689l
Pietro G., The, 38 Fed. R. 148, 1420
Pigeon v. Dominion Exp. Co., Rap. Jud. Que. 11 C. S. 276, 1513a
Piggot v. Eastern, &c., R. Co., 54 Eng. Com. Law, 228, 1221
v. Eastern Counties R. Co., 3 C. B. 229, 1221, 1242, 1243a
Pike v. Bangor, &c., R. Co., 68 Me. 445, 133, 135, 139, 143, 257
v. Boston Elevated R. Co., 78 N. E. 497, 1630
v. Chicago, &c., R. Co., 39 Fed. 754, 1158, 1264, 1689f
v. Grand Trunk, &c., R. Co., 39 Fed. R. 255, 1163, 1247
v. Madbury, 12 N. H. 262, 713
v. Megoun, 44 Mo. 491, 40
v. Rowland, 94 Pa. St. 238, 262
v. State, 11 Ill. 202, 1678
Pilcher v. Atchison, &c., R. Co., 38 Kan. 516, 934, 972
Pilgreen v. State, 71 Ala. 368, 1414
Pilkinton v. Gulf, &c., R. Co., 70 Tex. 226, 1280, 1282, 1294
Pinch v. Anthony, 8 Allen (Mass.), 536, 502
Pinchin v. London, &c., R. Co., 24 L. J. N. S. Ch. 417, 972
Pindell v. St. Louis, &c., R. Co., 34 Mo. App. 675, 1398
v. St. Louis, &c., R. Co., 41 Mo. App. 84, 1463, 1464
Pine v. St. Paul City R. Co., 50 Minn. 144, 1096da

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pine Bluff, &c., R. Co. v. Kelly, 93 S. W. 562, 993, 996f, 1031, 1033
v. McKenzie, 75 Ark. 100, 1403
Pine Grove Township v. Talcott, 19 Wall. (U. S.) 666, 1, 916
Pine Lake Iron Co. v. Lafayette Car Works, 53 Fed. R. 853, 574
Pingery v. Cherokee, &c., R. Co., 78 Iowa, 438, 1036, 1037
Pingree v. Detroit, &c., R. Co., 66 Mich. 143, 1461, 1537, 1570
v. Leland, 135 Mass. 398, 1345
v. Mich. Cent. R. Co., 118 Mich. 314, 322, 323, 324, 335
Pinkard v. Allen, 75 Ala. 73, 527
Pinkerton v. Boston, &c., R. Co., 109 Mass. 527, 1000a, 1001, 1025
v. Manchester, &c., R. R. Co., 42 N. H. 424, 98
v. Missouri Pac. R. Co., 63 S. W. 849, 1457a
v. Pennsylvania Traction Co., 193 Pa. St. 229, 436
Pinkett v. Wright, 2 Hare, 120, 94
Pinkstaff v. Steffy, 216 Ill. 406, 1057f
Pinney v. First Div. St. Paul, &c., R. Co., 19 Minn. 251, 1464, 1527, 1528
v. Wells, 10 Conn. 104, 1572
Piollett v. Summers, 106 Pa. St. 95, 1264
Pioneer Fuel Co. v. McBrier, 84 Fed. 495, 1572
Pioneer Paper Co., Re, 36 How. Pr. (N. Y.) 111, 156
Piper v. Chicago, &c., R. Co., 77 Wis. 247, 1155, 1156
v. Choctaw, &c., Co., 16 Okla. 436, 928
v. New York, &c., R. Co., 76 Hun, 44, 1633
v. New York, &c., R Co., 156 N. Y. 224, 1630a
v. Rhodes, 30 Ind. 309, 18
v. Spokane, 22 Wash. 147, 1689i
v. Union Pac. R. Co., 14 Kan. 568, 946
Pippen v. Wilmington, &c., R. Co., 75 N. Car. 54, 1213
Piqua Branch Bk. v. Knopp, 16 How. (U. S.) 369, 43, 746
Pirie v. Tyedt, 115 U. S. 41, 650, 650a
Pisano v. B. M. Stanley, &c., Co., 66 N. J. L. 1, 1376
Piscataqua Bridge Co. v. New Hampshire Bridge Co., 7 N. H. 35, 32, 968
Piscataqua Ferry Co. v. Jones, 39 N. H. 491, 106, 149
Pitcher v. Railroad Co., 55 Hun (N. Y.), 604, 1588a
Pitkin v. Long Island, &c., R. Co., 2 Barb. Ch. 221, 420, 945
v. Springfield, 112 Mass. 509, 1008
Pitlock v. Wells, &c., Co., 109 Mass. 452, 1465, 1466
Pitman v. Pacific Exp. Co., 24 Tex. Civ. App. 595, 1494
Pitts v. Baltimore, 73 Md. 326, 1003b
v. Bomar, 33 Ga. 96, 1061
Pittsburg v. Scott, 1 Pa. St. 309, 952, 955
Pittsburgh Elec. R. Co. v. Kelly, 57 Kan. 514, 1096cg, 1096dd
Pittsburg Junction R. Co.'s Appeal (Pa.), 6 Atl. 564, 1125
Pittsburg Mining Co. v. Spooner, 74 Wis. 307, 11, 12, 13, 14
Pittsburgh Southern R. Co. v. Taylor, 104 Pa. St. 306, 1824
Pittsburg, &c., Coal Co. v. Bates, 156 U. S. 577, 667, 756
Pittsburgh, &c., Laboratory v. Milwaukee Elec. R., &c., Co., 110 Wis. 633, 1067, 1069
Pittsburg, &c., R. Co.'s Appeal (Pa.), 28 Am. & Eng. R. Cas. 266, 1122
Pittsburg, &c., R. Co.'s Appeal, 122 Pa. St. 511, 964, 967, 1119, 1121
Pittsburg, &c., R. Co. v. Adams, 105 Ind. 151, 215, 1251, 1285, 1303
v. Adams, 25 Ind. App. 164, 1697
v. Allegheny County, 63 Pa. St. 126, 38, 70, 86, 315, 316, 430
v. Allegheny Co., 79 Pa. St. 210, 373, 873
v. Allen, 40 Ohio St. 206, 1190, 1191
v. Altoona, &c., Co., 196 Pa. St. 452, 373
v. Andrews, 39 Md. 329, 1633, 1816
v. Applegate, 21 W. Va. 172, 106, 108
v. Backus, 154 U. S. 421, 755, 757, 771, 776
v. Backus, 133 Ind. 625, 740, 741
v. Baltimore, &c., R. Co., 2 Int. Com. 729, 1684i
v. Barret, 36 Ohio, 448, 1409, 1410, 1462, 1464, 1500
v. Beck, 152 Ind. 421, 948
v. Bedford, &c., R. Co., 81½ Pa. St. 104, 519
v. Bennett, 9 Ind. App. 92, 1171
v. Bentley, 88 Pa. St. 178, 995, 1025
v. Benwood Iron Works, 31 W. Va. 710, 4, 31, 42, 950, 952, 961, 971
v. Bigger, 34 Pa. St. 455, 121
v. Bingham, 29 Ohio St. 364, 33, 1249, 1250, 1251, 1256
v. Birmingham, 51 Pa. St. 41, 1081, 1092, 1096ak
v. Boiner, 57 Ind. 572, 1208
v. Bovard, 223 Ill. 176, 1258, 1320
v. Brown, 67 Ind. 45, 721, 1114
v. Bruce, 102 Pa. St. 23, 944, 955, 972, 977, 1049
v. Bryant, 36 Ind. App. 340, 1415, 1423, 1706
v. Burroughs, 9 Ohio Dec. 324, 1272a
v. Byers, 32 Pa. St. 22, 123
v. Caldwell, 74 Pa. St. 421, 1172
v. Campbell, 86 Ill. 443, 688, 1224, 1237
v. Chicago, 159 Ill. 369, 1082
v. Clarke, 29 Pa. St. 146, 99, 100, 134, 259
v. Coll, 37 Ind. App. 232, 1597, 1599a
v. Collins, 87 Pa. St. 405, 1152
v. Collins, 163 Ind. 569, 1313, 1349, 1356
v. Collins, 80 N. E. 415, 1829
v. Columbus, &c., R. Co., 8 Biss. (U. S.) 456, 430
v. Commonwealth, 66 Pa. St. 73, 755
v. Commonwealth, 101 Pa. St. 192, 719, 1112

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pittsburg, &c., R. Co. v. Commonwealth, 104 Pa. St. 583, 1106
v. Conn, 104 Ind. 64, 1689f, 1761
v. Cox, 36 Ind. App. 291, 1741
v. Cox, 55 Ohio St. 497, 1382, 1383
v. Crown Point, 146 Ind. 421, 1082
v. Cunningham, 39 Ohio St. 327, 1193, 1198, 1200
v. Currant, 61 Ind. 38, 1208
v. Donahue 70 Pa. St. 119, 1265, 1800, 1815
v. Dunn, 56 Pa. St. 280, 1102, 1176
v. Eby, 55 Ind. 567, 1198
v. Evans, 53 Pa. St. 250, 1152
v. Ferrell, 78 N. E. 988, 1175
v. Fish, 158 Ind. 525, 791
v. Ft. Pitt, &c., Co., 192 Pa. St. 44, 1122
v. Garrett, 50 Ohio St. 405, 327
v. Gazzam, 32 Pa. St. 340, 102, 103
v. Geltmaker, 16 Ky. L. 861, 1851
v. Gilleland, 56 Pa. St. 445, 1004, 1005, 1057, 1057d
v. Gipe, 160 Ind. 360, 1356, 1376, 1387, 1387a
v. Greb, 34 Ind. App. 625, 1057g
v. Greenville, 69 Ohio St. 487, 1049a
v. Haislup, 79 N. E. 1035, 1760
v. Hall, 25 Pa. St. 336, 1025, 1041, 1042
v. Hannon, 60 Ind. 417, 1208
v. Harbaugh, 4 Brewst. (Pa.) 115, 475
v. Harden, 137 Ind. 486, 1, 829, 830, 856, 872
v. Harper, 11 Ind. App. 481, 1049d
v. Harris, 77 N. E. 1051, 1641
v. Hays, 17 Ind. App. 261, 785, 789
v. Hays, 49 Ind. 207, 1706
v. Hazen, 84 Ill. 36, 1459, 1516
v. Heiskell, 38 Ohio St. 666, 1185, 1188
v. Henderson, 37 Ohio St. 549, 200, 1280, 1306
v. Henly, 48 Ohio St. 608, 1296
v. Hennigh, 39 Ind. 509, 1602
v. Higgs, 165 Ind. 694, 1644, 1693, 1694, 1696
v. Hine, 25 Ohio St. 629, 1373
v. Hinds, 53 Pa. St. 512, 1591, 1639, 1640
v. Hixon, 79 Ind. 111, 1226, 1229, 1241
v. Hixon, 110 Ind. 225, 1229, 1239, 1242
v. Hollowell, 65 Ind. 188, 1459, 1481, 1516, 1714
v. Hood, 94 Fed. 618, 65, 1076, 1081, 1090, 1096g
v. Hosea, 152 Ind. 412, 668, 1358, 1361a, 1382
v. Indiana, &c., Co., 154 Ind. 322, 1239, 1243a
v. Ives, 12 Ind. App. 602, 1256
v. Jones, 111 Pa. St. 204, 38, 968
v. Jones, 59 Pa. St. 433, 1049
v. Jones, 86 Ind. 496, 1229, 1238
v. Kain, 35 Ind. 291, 459
v. Keokuk, &c., Co., 131 U. S. 371, 227, 289, 340, 366, 370, 371, 373, 384, 435, 450
v. Keokuk, &c., Co., 155 U. S. 156, 450
Pittsburg, &c., R. Co. v. Kinnare, 105 Ill. App. 566, 1378a
v. Kinnare, 203 Ill. 388, 1378, 1763
v. Kirk, 102 Ind. 399, 213
v. Lamphere, 137 Fed. 20, 1782
v. Laufman, 78 Ind. 319, 1195
v. Lightcap, 7 Ind. App. 249, 200, 1581, 1593
v. Lightheiser, 163 Ind. 247, 1280, 1313, 1349, 1689a, 1766
v. Lightheiser, 78 N. E. 1033, 1315, 1337, 1344, 1345
v. Lynde, 55 Ohio St. 23, 336, 500
v. Lyon, 123 Pa. St. 140, 193, 200, 202, 341, 1576, 1659, 1662a, 1801
v. McCloskey, 110 Pa. St. 436, 988, 991, 994, 996
v. McClurg, 56 Pa. St. 294, 199, 1633
v. Mahoney, 148 Ind. 196, 1378c, 1398, 1625a, 1645
v. Marshall, 85 Pa. St. 187, 512, 515
v. Martin, 82 Ind. 476, 1158, 1166a, 1171
v. Methven, 21 Ohio St. 586, 1190, 1209
v. Miller, 33 Ind. App. 128, 1628
v. Mocar Lumber Co., 27 Ohio Cir Ct. 588, 1576a
v. Montgomery, 152 Ind. 1, 668, 1358, 1382
v. Moore, 152 Ind. 345, 1335, 1346, 1358, 1382, 1383
v. Moore, 33 Ohio St. 384, 324, 461, 1698
v. Morton, 61 Ind. 539, 303, 1433, 1438, 1465, 1466, 1476, 1691, 1729
v. Moses, 2 Atl. 188, 1097, 1107
v. Nash, 43 Ind. 423, 1521
v. Naylor, 73 Ohio St. 115, 1366a
v. Nelson, 51 Ind. 150, 1224, 1235, 1238
v. Nicholas, 165 Ind. 679, 1296, 1356, 1689l
v. Noel, 77 Ind. 110, 1224, 1235, 1238, 1241, 1242, 1689l
v. Nuzum, 60 Ind. 533, 1580
v. Nuzum, 50 Ind. 141, 202, 1593
v. Oglesby, 165 Ind. 542, 789a
v. Parish, 28 Ind. App. 189, 1269, 1271, 1288, 1797
v. Patterson, 107 Pa. St. 461, 1036
v. Pearson, 72 Pa. St. 169, 1262
v. Peck, 165 Ind. 537, 1689a, 1689f
v. Peet, 152 Pa. St. 488, 972, 1033
v. Pillow, 76 Pa. St. 510, 200, 1591, 1639
v. Pittsburgh, &c., R. Co., 159 Pa. St. 331, 42, 921, 927
v. Pittsburg, 80 Pa. St. 72, 1092, 1096am
v. Point Bridge Co., 165 Pa. St. 37, 8, 977
v. Porter, 32 Ohio St. 328, 1017
v. Powers, 74 Ill. 341, 1807
v. Racer, 5 Ind. App. 209, 1471, 1476, 1482, 1551, 1691
v. Racer, 10 Ind. App. 503, 1423
v. Ramsey, 22 Wall. (U. S.) 322, 648

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pittsburg, &c., R. Co. v. Redding, 140 Ind. 141, 1169, 1255
v. Reed (Pa. St.) 6 Atl. R. 838, 1033
v. Reed (Pa. St.), 28 Am. & Eng. R. Cas. 233, 1037
v. Reed, 36 Ind. App. 67, 1163
v. Reich, 101 Ill. 157, 718, 978, 990, 992, 1090
v. Robinson, 95 Pa. St. 426, 989, 1037, 1038
v. Rose, 74 Pa. St. 362, 987, 993, 995, 996, 1036, 1037, 1038
v. Ross, 80 N. E. 845, 1813, 1829
v. Rothschild (Pa.), 26 Am. & Eng. R. R. Cas. 50, 26, 323, 559
v. Ruby, 38 Ind. 294, 226
v. Russ, 57 Fed. R. 822, 1637, 1837
v. Sanitary Dist. 218 Ill. 286, 952, 964, 975b, 977a
v. Seivers, 162 Ind. 234, 1248, 1315c, 1702
v. Sentmeyer, 92 Pa. St. 276, 1271, 1303
v. Shaeffer, 59 Pa. St. 350, 232
v. Shaw (Pa.), 14 Atl. R. 323, 372
v. Shaw (Pa.), 36 Am. & Eng. R. Cas. 453, 41
v. Sheppard, 56 Ohio St. 68, 1494, 1511, 1782
v. Shields, 47 Ohio St. 387, 214
v. Shields (Ohio), 31 Cent. L. J. 168, 1259, 1260, 1265
v. Simons, 76 N. E. 883, 1248, 1249
v. Smith, 38 Ohio St. 410, 1185, 1209
v. Southwest, &c., R. Co., 77 Pa. St. 173, 964, 1096o, 1122
v. Spencer, 98 Ind. 186, 1132, 1178, 1635, 1765
v. Staley, 41 Ohio St. 118, 1799
v. State, 49 Ohio St. 189, 741
v. Stewart, 41 Pa. St. 54, 112, 115
v. Story, 104 Ill. App. 132, 1828
v. Street, 26 Ind. App. 224, 1594a
v. Stuart, 71 Ind. 500, 1180, 1209
v. Sullivan, 141 Ind. 83, 223, 1388, 1390
v. Swinney, 97 Ind. 586, 1025, 1031, 1032, 1033
v. Taber, 77 N. E. 741, 786, 788, 789, 791, 1096am
v. Theobald, 51 Ind. 246, 218, 1638, 1696
v. Thompson, 56 Ill. 138, 1378, 1585, 1805
v. Vance, 115 Pa. St. 325, 995, 1036, 1037
v. Vandyne, 57 Ind. 576, 1577, 1601b, 1603, 1639
v. Vining, 27 Ind. 513, 1262, 1370
v. West Chicago, &c., R. Co. 156 Ill. 385, 1096bp
v. Williams, 74 Ind. 462, 1177, 1629, 1634
v. Wilson, 34 Ind. App. 324, 939
v. Wise, 74 N. E. 1107, 1241
v. Wolcott, 162 Ind. 399, 987, 1041
v. Woolley, 12 Bush (Ky.), 451, 289
v. Yundt, 78 Ind. 373, 1154, 1156, 1157
Pittsburg, &c., Co.'s Appeal, 4 Atl. R. 385, 339, 515
Pittston, &c., Co. v. McNulty, 125 Pa. St. 414, 1270, 1309
Pitzman v. Freeburg, 92 Ill. 111, 814, 831, 836
Pixley v. Roanoke, &c., Co., 75 Va. 320, 405
v. Western Pac. R. Co., 33 Cal. 183, 42, 289, 410
Place v. Union Ex. Co. 2 Hilton 19, 1401, 1473, 1558
Placke v. Union Depot R. Co., 140 Mo. 634, 1096c
Plainview v. Winona, &c., R. Co., 36 Minn. 505, 329, 873, 895
Plaisted v. Boston, &c., Co., 27 Me. 132, 1481
Planet, &c., Co. v. St. Louis, &c., R. Co., 115 Mo. 613, 628, 903
Plank's Tavern Co. v. Burkhard, 87 Mich. 182, 102
Plantation v. Hall, 61 Me. 517, 1435, 1438
Planters' Bank v. Whittle, 78 Va. 737, 604
Planters Compress Co. v. Cleveland, &c., R. Co., 11 Int. Co. 382, 1678a
Planters', &c., Bank v. Clossey, 1 Stew. (Ala.), 201, 233
v. Leavens, 4 Ala. 753, 626
v. Padgett, 69 Ga. 159, 190, 619
Planter's, &c., Co. v. Elder, 101 Fed. 1001, 1415
v. Merchants', &c., Bank, 78 Ga. 574, 303
v. Selma Sav. Bank, 63 Ala. 585, 92, 100
v. State, 161 U. S. 193, 62
Planz v. Boston, &c., R. Co., 157 Mass. 377, 1253, 1255, 1582
Plaquemines Tropical Fruit Co. v. Buck, 52 N. J. Eq. 219, 11, 12
Plaster v. Illinois, &c., R. Co., 35 Iowa, 449, 1204
Plate v. Railroad Co., 37 N. Y. 472, 1057d
Platt v. Albany R. Co., 170 N. Y. 115, 1096cd
v. Archer, 9 Blatchf, (U. S.) 599, 612
v. Birmingham Axle Co., 41 Conn. 255, 100
v. Bright, 29 N. J. Eq. 128, 1003, 1003b, 1025
v. Chicago, &c., R. Co., 84 Iowa, 694, 1269
v. Forty Second St., &c., Co., 2 Hun, 124, 1096cs
v. Hitchcock, Co., 139 Fed. 929, 897
v. LeCoig, 150 Fed. 391, 1662c
v. New York, &c., R. Co., 170 N. Y. 451, 576
v. New York, &c., R. Co., 26 Conn. 544, 24, 599, 610
v. Pennsylvania Co., 43 Ohio St. 228, 955, 958, 972, 977, 1008, 1088
v. Philadelphia, &c., R. Co., 54 Fed. R. 569, 555, 556
v. Philadelphia, &c., R. Co., 65 Fed. R. 872, 536
v. Philadelphia, &c., R. Co., 65 Fed. R. 660, 567
v. Richmond, &c., R. Co., 108 N. Y. 358, 1509
v. Union Pac. R. Co., 99 U. S. 48, 488, 795, 803a
v. Union Pac. R. Co., 17 Fed. R. 273, 355
Plattsmouth v. Fitzgerald, 10 Neb. 401, 903

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Plattsville v. Galena, &c., R. Co., 43 Wis. 493, 122, 852, 857, 860, 873
Pleasant Township v. Aetna Life Ins. Co., 138 U. S. 67, 817, 818
Pleasants v. Fant, 22 Wall. 116, 1702
Pleasants, &c., Co. v. Ross, 1 Wash. (Va.) 156, 1059
Pledger v. Chicago, &c., R. Co., 69 Neb. 456, 1581a
Plessy, Ex parte, 45 La. Ann. 80, 200, 1665
Plessy v. Ferguson, 163 U. S. 537, 1577a, 1665, 1668
Plimpton v. Bigelow, 93 N. Y. 592, 78, 304
Plott v. Western North Carolina R. Co., 65 N. Car. 74, 1048
Plum v. Metropolitan St. R. Co., 91 App. Div. (N. Y.) 420, 1840
Plumb v. Bank, 48 Kan. 484, 98, 178
v. Grand Rapids, 81 Mich. 381, 806
Plumer v. Wausa, &c., Co., 49 Wis. 449, 1001
Plumley v. Birge, 124 Mass. 57, 1261
v. Commonwealth, 155 U. S. 461, 667, 1668
Plumleigh v. Dawson, 1 Gilm. (Ill.) 552, 1057d
Plummer v. Dill, 156 Mass. 426, 1249
v. New York, &c., R. Co., 168 Pa. St. 62, 1170
v. Northern Pac. R. Co., 152 Fed. 206, 1688b
Plymouth v. Chestnut Hill, &c., R. Co., 168 Pa. St. 181, 1096ac
v. Painter, 17 Conn. 585, 246
Plymouth R. Co. v. Colwell, 39 Pa. St. 337, 72, 374, 790
Plymouth Tp. v. Chestnut Hill, &c., Co., 168 Pa. St. 181, 1081
Plympton v. Preston, 4 La. Ann. 356, 226
Pocahontas, &c., Co. v. Ruka, 104 Va. 278, 1366a
Pochila v. Calvert, &c., R. Co., 31 Tex. Civ. App. 398, 989, 995, 1049e
Poeppers v. Missouri, &c., R. Co., 67 Mo. 715, 1231
Pohlman v. Chicago, &c., R. Co., 107 N. W. 1025, 1057f, 1057h
Poindexter v. Greenhow, 114 U. S. 270, 806
Polack v. Pioche, 35 Cal. 416, 1481
v. Trustees, 48 Cal. 400, 1086
Poland v. Lamoille Valley R. Co., 52 Vt. 144, 500, 502, 533, 580, 1075
Polar Star Lodge v. Polar Star Lodge, 16 La. Ann. 53, 275, 608
Polatty v. Charleston, &c., R. Co., 67 S. Car. 391, 1255
Poler v. New York, &c., R. Co., 16 N. Y. 476, 1185, 1188, 1200, 1209
Polhaus v. Atchison, &c., R. Co., 115 Mo. 535, 1241
Polhemus v. Fitchburg R. Co., 123 N. Y. 502, 329, 336
Police Jury v. Britton, 15 Wall. 566, 823
v. McDonough, 8 La. Ann. 341, 818, 821
Poling v. Ohio River R. Co., 38 W. Va. 645, 1256, 1702
Politowitz v. Citizens, &c., Co., 115 Mo. App. 57, 1689e
Pollack v. Pennsylvania R. Co., 210 Pa. St. 631, 1255, 1256, 1262
Pollard v. Bailey, 20 Wallace 520, 185
v. Hogan, 3 How. (U. S.) 212, 950
Pollard v. London, &c., R. Co., 22 L. T. R. (N. S.) 551, 1536
v. Maddox, 28 Ala. 321, 67, 400, 490
v. Maine Cent. R. Co., 87 Me. 51, 1282, 1301
v. Reardon, 65 Fed. 848, 1429
v. Pleasant Hill, 3 Dill. 195, 900
v. Vinton, 105 U. S. 7, 1415, 1416, 1419, 1463
Pollett v. Long, 56 N. Y. 200, 1231
Pollitz v. Farmers' L. & T. Co., 53 Fed. R. 210, 508, 531, 533, 534, 536
Pollock v. Eastern R. Co., 124 Mass. 158, 1161
v. Farmers, &c., Co., 157 U. S. 429, 376
v. Gannt, 69 Ala. 373, 1773
v. Maysville, &c., R. Co., 19 Ky. L. 1717, 946c
Polly v. Saratoga, &c., R. Co., 9 Barb. (N. Y.) 449, 925, 1019, 1034
Pomerene Co. v. White, 70 Neb. 177, 1822
Pomeroy v. Chicago, &c., R. Co., 25 Wis. 641, 1000, 1025
v. Lappeus, 9 Ore. 363, 1698
v. New York, &c., R. Co., 4 Blatch. (U. S.) 120, 25, 649
v. Rand, &c., Co. 157 Ill. 176, 624
v. Winship, 12 Mass. 513, 505
Pomfrey v. Saratoga Springs, 104 N. Y. 459, 1177
Pomona, &c., R. Co. v. Camden, &c., Co., (N. J.) 20 Atl. R. 350, 1051
Pomroy v. Sperry, 16 How. (N. Y.) 211, 713
Pomponio v. New York, &c., R. Co., 66 Conn. 528, 1249
Pompton v. Cooper Union, 101 U. S. 196, 843, 897, 898
Pond v. Cooke, 45 Conn. 126, 555, 570
v. Framingham, &c., R. Co., 130 Mass. 194, 543, 547, 549, 550, 601
v. Vermont, &c., R. Co., 12 Blatchf. 280, 479, 634
Pondir v. New York, &c., R. Co., 72 Hun (N. Y.), 384, 165
Ponkey v. Richmond, &c., R. Co., 3 Interst. Com. Rep. 806, 1440
Ponchartrain R. R. Co. v. New Orleans, &c., R. R. Co., 11 La. Ann. 253, 33
v. Orleans Nav. Co., 15 La. 404, 32
v. Paulding, 11 La. 41, 232
Pool v. Breese, 114 Ill. 594, 1053
v. Chicago, &c., R. Co., 56 Wis. 227, 221, 1632
v. Chicago, &c., R. Co., 53 Wis. 657, 1643
v. Columbia, &c., R. Co., 23 S. Car. 286, 1539
v. Farmers, &c., Co., 7 Tex. Civ. App. 334, 592
v. Simmons, 134 Cal. 621, 1014
v. Southern Pac. R. Co., 7 Utah, 303, 1378a
v. Southern R. Co., 20 Utah, 210, 1298a
Poole v. East Tenn., &c., R. Co., 92 Ga. 337, 1689i
v. Houston, &c., R. Co., 58 Tex. 134, 1539, 1542, 1543
v. Northern Pac. R. Co., 16 Ore. 261, 200, 1594, 1603
v. Thatcherdeft, 19 Fed. R. 49, 646
Poole, Jackson & Whyte's Case, L. R. 9 Ch. D. 322, 133

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pooley Hall Colliery Co., In re, 21 L. T. R. N. S. 690, 489
Pooling Freight, In re, 115 Fed. 588, 1675
Poor v. Iowa Cent. R. Co., 155 Fed. 226, 1688c
Pope v. Board, 51 Fed. 769, 327, 329, 820, 821, 832
v. Durant, 26 Iowa, 233, 505, 507
v. Kansas City, &c., R. Co., 99 Mo. 400, 1096co
v. Manhattan R. Co., 79 App. Div. (N. Y.) 583, 1049c
v. Terre Haute, &c., Co., 87 N. Y. 137, 621
Popham v. Bernard, 77 Mo. App. 619, 1474
Porcher v. Northeastern Railroad, 14 Rich. L. 181, 1466, 1470, 1487
Port v. Huntingdon, &c., R. Co., 168 Pa. St. 19, 1141, 1142, 1147
v. Russell, 36 Ind. 60, 276
v. West Shore, &c., R. Co., 50 Hun, 309, 1149
Port Clinton R. Co. v. Cleveland R. Co., 13 Ohio St. 544, 852, 936
Port Huron. &c., R. Co. v. Richards, 90 Mich. 577, 362
v. Voorhels, 50 Mich. 506, 981, 1028, 1035a, 1039, 1042
Port Jervis, &c., R. Co. v. New York, &c., R. Co., 132 N. Y. 439, 453
Port of Mobile v. Louisville, &c., R. Co., 84 Ala. 115, 40
Port Richmond, &c., R. Co. v. Staten Island, &c., R. Co., 144 N. Y. 445, 1135
Port Royal Min. Co. v. Hagood, 30 S. Car. 519, 677
Port Royal, &c., R. Co. v. Davis, 95 Ga. 292, 1274, 1280, 1282, 1314
v. King, 93 Ga. 63, 554, 555
Port Townsend, &c., R. Co. v. Barbare, 89 Pac. 710, 1036
Portal v. Emmens, 1 Com. Pl. Div. 664, 241
Porter v. Bank of Rutland, 19 Vt. 410, 173
v. Chicago, &c., R. Co., 1 Neb. 14, 621
v. Chicago, &c., R. Co., 20 Ill. 407, 1464
v. Chicago, &c., R. Co., 41 Iowa, 358, 1265, 1407
v. Dawson Bridge Co., 157 Pa. St. 367, 714
v. Delaware, &c., R. Co., 63 Atl. 860, 1817
v. Hildebrand, 14 Pa. St. 129, 1647
v. Illinois So. R. Co., 116 Mo. App. 526, 1181
v. Industrial, &c., Co., 25 N. Y. Supp. 328, 550
v. Janesville. 3 Fed. R. 617, 916
v. Midland R. Co., 125 Ind. 476, 1004, 1096
v. Milwaukee, 19 Wis. 625, 751
v. Missouri Pac. R. Co., 97 S. W. 880, 1166, 1168, 1172
v. New York Cent. R. Co., 34 Barb. (N. Y.) 353, 302
v. Pittsburg, &c., Co., 120 U. S. 649, 169
v. Pittsburg, &c., Co., 122 U. S. 267, 484, 497, 498
v. Plymouth Gold Minning Co., 29 Mont. 347, 320
v. Purdy, 29 N. Y. 106, 865
Porter v. Railroad Co., 76 Ill. 561, 771
v. Raymond, 53 N. H. 519, 111
v. Rockford, &c., Co., 76 Ill. 561, 736, 741a
v. Rose, 12 Johns, 209, 450
v. Sabin, 149 U. S. 473, 573
v. St. Louis, &c., R. Co., 78 Ark. 182, 1673
v. Waring, 69 N. Y. 250, 1698
v. Williams, 9 N. Y. 142, 537
Porterfield v. Bond, 38 Fed. 391, 718, 1057
Portland v. Atlantic, &c., Co., 66 Me. 485, 1092
v. Kamm, 10 Ore. 383, 1038
v. Portland, &c., Co., 67 Me. 135, 746, 747
Portland Bank v. Stubbs, 6 Mass. 422, 1709
Portland Flouring Mills Co. v. Insurance Co., 130 Fed. 860, 1558, 1559
Portland, &c. v. Evansville, 25 Fed. 389, 906
v. Bobb, 88 Ky. 226, 957, 1027
v. County Commissioners, 64 Me. 505, 1054
v. Portland, 12 B. Mon. (Ky.) 77, 608
v. Rosseter, 16 S. Dak. 633, 604
Portland, &c., R. Co. v. Boston, &c., R. Co., 65 Me. 122, 1096o
v. County Commissioners, 65 Me. 292, 926, 1045
v. Deering, 78 Me. 61, 660, 1102, 1103
v. Graham, 52 Mass. (11 Metc.) 1, 152, 153, 259
v. Grand Trunk R. Co., 46 Me. 69, 1056b
v. Inhabitants, &c., 58 Me. 23, 116, 849, 903
v. Portland, 14 Ore. 188, 980, 1076
v. Saco, 60 Me. 196, 5, 750
v. Standish, 65 Me. 63, 815
Portsmouth Iron Co. v. Murray, 38 Ohio St. 323, 1075
Portsmouth Savings Bank v. Springfield, 4 Fed. 276, 903
Portugese, &c., R. Co., In re, 45 Ch. D. 16, 262
Posch v. Southern Elec. R. Co., 76 Mo. App. 601, 1808, 1831
Post v. Buffalo, &c., R. Co., 108 Pa. St. 585, 1238
v. Chicago, &c., R. Co., 14 Neb. 110, 1599, 1637
v. Pearsall, 22 Wend. 425, 947
v. Pulaski, 47 Fed. 282, 843
v. Pulaski County, 49 Fed. 628, 824, 835, 841, 843
v. Southern R. Co., 103 Tenn. 184, 1432, 1551
v. Texas, &c., R. Co. (Tex.) 23 S. W. 708, 1256
v. West Shore, &c., R. Co., 123 N. Y. 580, 359
Postal, &c., Co. v. Alabama, &c., R. Co., 92 Ala. 331, 1053
v. Chicago, &c., Co., 30 Ind. App. 654, 975c
v. City Council of Charleston, 153 U. S. 692, 780
v. Hulsey, 132 Ala. 444, 1353, 1771
v. Louisville, &c., Co., 43 La. Ann. 522, 970

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Postal, &c., Co. v. Louisiana, &c., R. Co., 49 La. Ann. 1270, 972
v. Norfolk, &c., R. Co., 88 Va. 920, 623, 964, 967
v. State of Alabama, 155 U. S. 482, 952
v. Oregon Short Line R. Co., 114 Fed. 787, 975c
v. Oregon Short Line, &c., Co., 23 Utah, 474, 20, 954, 956, 957, 975c, 977a, 986, 996b, 1014
v. Oregon, &c., R. Co., 104 Fed. 623, 996b
v. Southern R. Co., 122 Fed. 156, 1010a, 1012
v. Southern R. Co., 90 Fed. 30, 5
v. Texas, &c., R. Co., 46 S. W. 912, 1014
Posten v. Denver, &c., Co., 11 Colo. App. 187, 1096cy
Potomac Coal Co. v. Cumberland, &c., R. Co., 38 Md. 226, 1564
v. Evans, 84 Va. 717, 505
Potter v. Ames, 43 Cal. 75, 1007, 1055
v. Bunnell, 20 Ohio St. 150, 1176
v. Chicago, &c., R. Co., 46 Iowa, 399, 1335, 1344
v. Chicago, &c., R. Co., 21 Wis. 372, 1378a
v. Chicago, &c., R. Co., 22 Wis. 615, 1828
v. Faulkner, 1 Best & S. 800, 1305
v. Lansing, 1 Johns. 215, 1692
v. New York, &c., Co., 44 Hun, 367, 285
v. New York, &c., R. Co., 136 N. Y. 77, 1272, 1286, 1288, 1298a, 1327, 1780
v. Scranton Traction Co., 176 Pa. St. 271, 1096r
Potts' Appeal, 15 Pa. St. 414, 1045
Potts v. New York, &c., R. Co., 131 Mass. 455, 1451, 1543a, 1569, 1570
v. Quaker City El. R. Co., 161 Pa. St. 396, 7, 65, 1076, 1096g
v. Quaker City, &c., R. R. Co., 12 Pa. Co. Ct. R. 593, 6, 7
v. Rose Valley Mills, 167 Pa. St. 310, 230
v. Wallace, 146 U. S. 689, 176, 184, 355
Pottsville v. People's R. Co., 148 Pa. St. 175, 994a
Potwin Place v. Topeka R. Co., 51 Kan. 609, 638, 1096ad, 1096bl
Poucher v. New York, &c., R. Co., 49 N. Y. 263, 1579, 1605, 1608, 1645
Pouder v. Catterson, 127 Ind. 434, 537, 568, 570
v. Tate, 96 Ind. 330, 558
Poughkeepsie, &c., R. Co., In re, 63 Barb. (N. Y.) 151, 992, 995, 1127
Poughkeepsie, &c., Co. v. Griffin, 24 N. Y. 150, 45, 102
Poulan v. Atlantic, &c., R. Co., 123 Ga. 605, 1010
Poulin v. Broadway, &c., R. Co., 61 N. Y. 621, 1096cy
v. Canadian Pac. R. Co., 32 Am. L. Reg. 153, 1594
v. Canadian Pac. R. Co., 52 Fed. 197, 1594
v. Railroad, 34 N. Y. Super, 296, 1628b
Poulton v. London, &c., R. Co., L. R. 2 Q. B. 534, 303, 1638
Pound, In re, 42 Ch. D. 402, 561
Pound v. Turck, 95 U. S. 459, 659, 980a, 1668
Pounder v. Northeastern R. Co., L. R. (1892) 1 Q. B. 385, 1577, 1639, 1640
Powder Co. v. Oakdale, &c., Co., 14 Phila. (Pa.) 166, 622
Powder River, &c., Co. v. Custer County, 9 Mont. 145, 31
Powell v. Augusta, &c., R. Co., 77 Ga. 192, 1813
v. Brunswick Co., 88 Va. 707, 863
v. Clelland, 82 Ind. 24, 1049
v. Construction Co., 88 Tenn. 692, 1063
v. East Tenn., &c., R. Co., (Miss.) 8 So. 738, 1629, 1756
v. Georgia, &c., R. Co., 121 Ga. 803, 14
v. Macon, &c., R. Co., 92 Ga. 209, 631
v. Mills, 30 Miss. 231, 1396, 1466
v. Missouri R. Co., 42 Mo. 63, 334, 335
v. Missouri Pac. R. Co., 59 Mo. App. 626, 1257
v. Missouri Pac. Co., 76 Mo. 80, 1160
v. Myers, 26 Wend. (N. Y.) 591, 1526, 1659
v. Nevada, &c., R. Co., 28 Nev. 40, 1815, 1816
v. New York, &c., R. Co., 109 N. Y. 613, 1170
v. North Missouri R. Co., 42 Mo. 63, 526
v. Oregonian Railway, 36 Fed. 726, 175, 180
v. Oregonian R. Co., 6 Ry. & Corp. L. J. 28, 180
v. Pennsylvania, 127 U. S. 678, 1670
v. Pennsylvania R. Co., 32 Pa. St. 414, 1511, 1545, 1546, 1548
v. Pittsburg, &c., R. Co., 25 Ohio St. 70, 1598
v. State, 52 Wis. 217, 734
v. Supervisors Brunswick County, 88 Va. 707, 871
v. Thompson, 80 Ala. 51, 1522
Power's Appeal 29 Mich. 504, 970, 1013
Power v. Savannah, &c., R. Co., 56 Ga. 471, 1036
Power Co. v. Murphy, 115 Ind. 566, 1278a
Powers v. Bears, 12 Wis. 213, 1015, 1017, 1051
v. Boston, &c., R. Co., 153 Mass. 188, 1580, 1629, 1643
v. Blue, &c., Assn. 86 Fed. 705, 271
v. Boston, &c., R. Co., 153 Mass. 188, 1305
v. Chesapeake, &c., R. Co., 169 U. S. 92, 650a, 656a
v. Chesapeake, &c., R. Co., 65 Fed. 129, 647, 653
v. Chicago, &c., R. Co., 57 Minn. 322, 1261
v. Chicago, &c., R. Co., 130 Ia. 615, 1554, 1719
v. Council Bluffs, 45 Ia. 652, 1057d
v. Davenport, 7 Blackf. 497, 1534
v. Detroit, &c., R. Co., 201 U. S. 543, 750a, 768
v. Harlow, 53 Mich. 507, 1259, 1261

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Powers v. Hazelton, &c., R. Co., 33 Ohio St. 429, 933, 957, 994, 995, 1027
v. Inferior Court, &c., 23 Ga. 65, 814
v. Irish, 23 Mich. 429, 1028
v. Pere Marquette R. Co., 106 N. W. 1117, 1299
v. St. Louis, &c., R. Co., 71 Mo. App. 540, 1057d
Powers, &c., Co. v. Wells-Fargo, &c., Co., 93 Minn. 143, 1494, 1718
Powhatan, The, 21 Blatch. (U. S. C. C.) 18, 1550
Powlet, Town of, v. Rutland, &c., R. Co., 28 Vt. 297, 1063
Powrie v. Kansas Pac. R. Co., 1 Colo. 529, 1061
Pozzi v. Shipton, 8 Ad. & E. 963, 1693, 1694
Praeger v. Bristol, &c., R. Co., 24 L. T. R. N. S. 105, 1628
Prairie v. Lloyd, 97 Ill. 179, 881a
Prather v. Chicago, &c., R. Co., 221 Ill. 190, 996
v. Jeffersonville, &c., R. Co., 52 Ind. 16, 930, 948, 960, 962, 971, 1029, 1050
v. Richmond, &c., R. Co., 80 Ga. 427, 202, 1163, 1280, 1313, 1701, 1689g, 1781
v. Western U. Tel. Co., 89 Ind. 501, 41, 342, 401, 938, 949, 973, 977
Pratt v. American Bell Tel. Co., 141 Mass. 225, 483
v. Atlantic, &c., R. Co., 42 Me. 579, 61, 668, 1222, 1223
v. Boston, &c., R. Co., 126 Mass. 443, 92
v. Bright, 29 N. J. Eq. 128, 1023
v. Brown, 3 Wis. 603, 950, 953
v. DesMoines, R. Co., 72 Iowa, 249, 1087
v. Jewett, 9 Gray (Mass.), 34, 608
v. Ogdensburg, &c., R. Co., 102 Mass. 557, 1478, 1550
v. Oshkosh Match Co., 89 Wis. 406, 14
v. Parkman, 24 Pick. (Mass.) 42, 1426
v. Pratt, 33 Conn. 446, 304, 312
v. Prouty, 153 Mass. 333, 1283
v. Railway Co., 95 U. S. 43, 1412, 1449
v. Roseland R. Co., 50 N. J. Eq. 150, 629
v. Short, 79 N. Y. 437, 375, 381
Pratt, &c., Co. v. Brawley, 83 Ala. 371, 1261, 1262
Pray, The E. H., 27 Fed. 474, 1539
Pray v. Mitchell, 60 Me. 430, 92
v. Northern Liberties, 31 Pa. St. 69, 782
v. Omaha St. R. Co., 44 Neb. 167, 1096cz, 1630
Preble v. Portland, 45 Me. 241, 1021
Preece v. Rio Grande, &c., R. Co., 24 Utah, 493, 1245a
Preeger v. Bristol, &c., R. Co., 24 L. T. N. S. 105, 1628
Prehm v. Royal Bank, L. R. 5 Exch. Cas. 92, 1798
Prendergast v. Turton, 1 Younge & C. Ch. Cas. 98, 154
Prendible v. Connecticut, &c., Co., 160 Mass. 131, 1338, 1347
Prentice v. Decker, 49 Barb. (N. Y.) 21, 1647, 1650a
Prentiss v. Kent, &c., R. Co., 63 Mich. 478, 1295, 1304
Presbrey v. Old Colony, &c., R. Co., 103 Mass. 1, 978, 995, 996, 1006, 1036
Presbyterian, &c., Fund v. Allen, 106 Ind. 593, 191
Presbyterian Society v. Auburn, &c., R. Co., 3 Hill (N. Y.), 567, 986
Prescott v. Haughey, 65 Fed. 653, 282
v. Patterson, 44 Mich. 525, 1055
Prescott National Bank v. Butler, 157 Mass. 548, 381
Prescott, &c., R. Co. v. Brown, 74 Ark. 606, 1205
v. Smith, 70 Ark. 179, 1630a
President of Crawfordsville, &c., R. Co. v. Wright, 5 Ind. 252, 1055
President of Delaware, &c., R. Co. v. Penn Coal Co., 50 N. Y. 250, 1059
President, &c., v. Cason, 72 Md. 377, 1628c, 1630
v. Diffebach, 1 Yates (Pa.), 367, 1027
v. People, 9 Barb. (N. Y.) 161, 718
v. Sipe, 11 Ind. 67, 389
v. Trenton Bridge Co., 13 N. J. Eq. 46, 54
President, &c., of Baltimore, &c., Turnp. v. Baltimore, &c., R. Co., 81 Md. 247, 968
President, &c., Canal Co. v. Village of Whitehall, 90 N. Y. 21, 1098
Pressley v. Harrison, 102 Ind. 14, 540, 556, 560
v. Lamb, 105 Ind. 171, 540, 559, 564
v. Mobile, &c., R. Co., 15 Fed. R. 199, 214
Preston v. Chicago, &c., R. Co., 98 Mich. 128, 1278
v. Cincinnati, &c., R. Co., 36 Fed. 54, 186
v. Dubuque, &c., R. Co., 11 Iowa, 15, 41
v. Finley, 72 Fed. 850, 1663
v. Grand Colliery, &c., Co., 11 Sim. 327, 107
v. Grand Collier Dock Co., 2 Eng. R. & C. Cas. 335, 112
v. Great Yarmouth, L. R. 7 Ch. 655, 504
v. Liverpool M., &c., R. Co., 7 Eng. L. & Eq. 124, 353
v. McNeil Lumber Co., 143 Fed. 555, 656a
v. Rudd, 84 Ky. 150, 782
v. St. Johnsbury, &c., R. Co., 64 Vt. 280, 1766
v. Tubbin, 1 Vern. 286, 226
v. Witherspoon, 109 Ind. 457, 303
Prettyman v. Supervisors, 19 Ill. 406, 818, 880
Prewett v. Trimble, 92 Ky. 176, 93, 291
Prewitt-Spurr Mfg. Co. v. Woodall, 115 Tenn. 605, 1805
Price v. Anderson, 15 Sim. 473, 307
v. Atchison, &c., R. Co., 58 Kan. 551, 1689c
v. Bala, &c., R. Co., 50 L. T. R. 787, 668
v. Bradford, 4 La. 35, 1538
v. Chesapeake, &c., R. Co., 46 W. Va. 538, 1594, 1602
v. Denver, &c., R. Co., 12 Colo. 402, 1449, 1451, 1569
v. Detroit, &c., R. Co., 145 U. S. 651, 1328

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Price v. Garland, 3 N. M. 285, 1061
v. Grand Rapids, &c., R. Co., 18 Ind. 137, 105
v. Grand Rapids, &c., R. Co., 13 Ind. 58, 136, 260, 263
v. Hartshorn, 44 Barb. 655, 1456, 1558
v. Haynes, 37 Mich. 487, 495
v. Holcomb 89 Iowa, 123, 51, 533, 608
v. Lancaster County, 18 Neb. 199, 751
v. Lehigh, &c., R. Co., 65 Fed 825, 653
v. Milwaukee, &c., R. Co., 27 Wis. 98, 996
v. New Jersey, &c., Co., 32 N. J. L. 19, 1180
v. Oregon, &c., R. Co., 47 Ore. 350, 1057d, 1057f
v. Oswego, &c., R. Co., 50 N. Y. 213, 1526, 1535
v. Pennsylvania Railroad, 113 U. S. 218, 1578, 1631
v. Pennsylvania R. Co., 209 Pa. St. 81, 923
v. Richmond, &c., R. Co., 33 S. Car. 556, 1361a, 1374, 1376
v. Riverside, &c., Co., 56 Cal. 431, 640, 1690
v. St. Louis, &c., R. Co., 75 Ark. 479, 1577, 1644
v. St. Louis, &c., R. Co., 85 S. W. 858, 1767
v. St. Louis, &c., R. Co., 72 Mo. 414, 1628, 1642, 1696
v. State, 74 Ga. 378, 6
v. State, 41 Tex. 215, 734
v. Supreme Lodge, 68 Tex. 361, 193
v. Weehawken Ferry Co., 31 N. J. Eq. 31, 998
v. White, 1 Bailey Eq. (S. Car.) 240, 584
Prickett v. Atchison, &c., R. Co., 33 Kan. 748, 1194
v. New Orleans, &c., Line, 13 Mo. App. 436, 1659
Prideaux v. Mineral Point, 43 Wis. 513, 1174, 1178, 1313
Priest v. Boston, &c., R. Co., 71 N. H. 114, 1057f
v. Essex, &c., Co., 115 Mass. 380, 179
v. Hudson River R. Co., 65 N. Y. 589, 1638
Priestley v. Fowler, 3 M. & W. 1, 234, 1316
Prigg v. Pennsylvania, 16 Pet. 539, 667
Prime v. Twenty-third St. R. Co., 1 Abbott New Cases (N. Y.) 63, 1094, 1096ao, 1096ap
Primrose v. Western Union Tel. Co., 154 U. S. 1, 1670
Prince v. Case, 2 Amer. Leading Cases, 546, 949
v. Illinois Cent. R. Co., 99 S. W. 293, 1849
v. International, &c., Co., 64 Tex. 144, 221, 1594
v. Lynch, 38 Cal. 528, 186, 188
v. New York, &c., R. Co., 14 N. Y. Supp. 817, 1140, 1146
Princeton v. Gieske, 93 Ind. 402, 1038
Princeton, &c., Co. v. Roll, 162 Ind. 115, 1096bn
Pringle v. Carter, 1 Hill L. (S. Car.) 53, 684
Pringle v. Woolworth, 90 N. Y. 502, 563
Printing Co. v. Green, 28 Weekly Rep. 351, 11
Printing House v. Trustees, 104 U. S. 711, 45
Printup v. Cherokee R. Co., 45 Ga. 365, 700
Priscilla, The, 106 Fed. 739, 1516, 1653
Pritchard v. Norton, 106 U. S. 124, 1494
Prize Cases, The, 2 Black, 635, 1458
Proctor v. Cincinnati, &c., R. Co., 3 Interst. Com. R. 131, 1678
v. Eastern R. Co., 105 Mass. 512, 1440
v. San Antonio, &c., R. Co., 26 Tex. Civ. App. 148, 1096cm
v. Southern Cal. R. Co., 130 Cal. 20, 1823
v. Southern R. Co., 64 S. Car. 491, 1762
v. Southern R. Co., 61 S. Car. 170, 1851
v. Wilmington, &c., R. Co., 72 N. Car. 579, 1209
Proctor, &c., Co. v. Cincinnati, &c., R. Co., 9 I. C. C. 440, 1678a
v. Cleveland, &c., R. Co., 3 Int. C. C. 131, 1678a
Proetz v. St. Paul, &c., R. Co., 17 Minn. 163, 1049
Promer v. Milwaukee, &c., R. Co., 90 Wis. 215, 1298a, 1346
Propeller Mohawk, 8 Wall. (U. S.) 153, 1562, 1571
Propeller Niagara v. Cordes, 21 How. 7, 1455, 1486
Proposed Advance in Freight Rates, In re, 9 I. C. C. 382, 1672, 1684f, 1684g, 1684h
Proprietors, &c., v. Gordon, 1 Pick. (Mass.) 297, 349
v. Hustler, 1 Barn. & Cress, 424, 41
v. Nashua, &c., R. Co., 10 Cush. (Mass.) 385, 996, 1005, 1025, 1057
v. Nashua, &c., R. Co., 104 Mass. 1, 402, 632, 987, 1096
v. New Hampton, 47 N. H. 151, 1053
v. Wood, 3 Esp. 127, 1455, 1457
Proprietors of Charles River Bridge v. Warren Bridge, 11 Pet. (U. S.) 420, 1096s
Prospect, &c., R. Co., In re, 13 Hun (N. Y.), 345, 995, 996
Prospect Park, &c., R. Co., In re, 5 Hun, 105, 1041
Prospect Park, &c., R. Co., In re, 24 Hun, 199, 1041
Prospect Park, &c., R. Co., In re, 67 N. Y. 371, 322, 322a, 933, 1026, 1027
Prospect Park, &c., R. Co., v. Coney Island, &c., R. Co., 144 N. Y. 152, 1096bl
v. Williamson, 91 N. Y. 552, 632, 931, 966, 1104
Prosperino Palasso, The, 29 L. T. T. Rep. N. S. 622, 1420
Prospert v. Rhode Island, &c., R. Co., 67 Atl. 522, 1641a
Prosser v. Wapello County, 18 Iowa, 327, 1038
Protection Life Insurance Co. v. Foote, 79 Ill. 361, 203, 250

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Prothers v. Citizens St. R. Co., 134 Ind. 431, 1314
Protzman v. Indianapolis, &c., R. Co., 9 Ind. 467, 393, 923, 930, 960, 1048, 1056
Prout v. Starr, 188 U. S. 537, 700
Prouty v. Lake Shore R. R. Co., 52 N. Y. 363, 334, 338
v. Michigan, &c., R. Co., 1 Hun (N. Y.), 655, 81, 83, 311, 317
Provencher v. Canadian Pac. R. Co., 5 Montreal, L. R. Super Ct. 9, 1662a
Providence v. St. John's Lodge, 2 R. I. 46, 358
v. Union R. Co., 12 R. I. 473, 1081
Providence Bank v. Billings, 4 Pet. 514, 1670
Providence Coal Co. v. Providence & W. R. Co., 15 R. I. 303, 339, 1566
v. Providence, &c., R. Co., 1 Interst. Com. Com. R. 107, 1680
v. Providence, &c., Co., 1 Int. Com. 363, 1677, 1680
Providence Insurance Co. v. Morse, 150 U. S. 99, 1509
Providence Tool Co. v. Norris, 2 Wall. 48, 383, 387
Providence, &c., R. Co., In re, 17 R. I. 324, 966, 1010, 1116
Providence, &c., R. Co. v. Fall River, 187 Mass. 45, 1109
v. Norwich, &c., R. Co., 138 Mass. 277, 682, 922, 964, 974
Providence, &c., Co. v. Wright, 2 R. I. 459, 738
Provident Bank v. Massachusetts, 6 Wall. 611, 754, 1665
Provident, &c., Society v. Ford, 114 U. S. 635, 647
Provident, &c., Co. v. Mercer Co., 170 U. S. 593, 851
Provolt v. Chicago, &c., R. Co., 57 Mo. 256, 949, 1049, 1051
v. Chicago, &c., Co., 69 Mo. 633, 1045, 1048, 1049
Provost v. Morgan, &c., R. Co., 42 La. Ann. 809, 409
Pruitt v. Hannibal, &c., R. Co., 62 Mo. 527, 303, 1406, 1437, 1457a, 1489, 1551, 1552
Prussia, The, 88 Fed. 531, 1505a
Prussia, The, 100 Fed. 484, 1483
Pryce v. Monmouthshire R. Co., 49 L. J. Exch. 130, 1566
Pryor v. Downey, 50 Cal. 388, 862
v. Louisville, &c., R. Co., 90 Ala. 32, 1314
v. Metropolitan St. R. Co., 85 Mo. App. 367, 1809
v. St. Louis, &c., R. Co., 69 Mo. 215, 1204
v. White, 16 B. Mon. (Ky.) 605, 1075
Pryzbylowicz v. Missouri, &c., R. Co., 17 Fed. 493, 949 1008
P. Schwenk & Co. v. Strang, 59 Fed. 209, 651
Public Parks, In re, 47 Hun, 302, 786
Public Road in Benzinger Township, In re, 115 Pa. St. 436, 1045
Publication, &c., Re, 10 Int. Com. 55, 1684l
Pueblo v. Strait, 20 Colo. 13, 1091
Pueblo, &c., R. Co. v. Rudd, 5 Colo. 270, 382, 386, 988, 989, 1041, 1045
v. Sherman, 25 Colo. 114, 1096cy
Pueblo v. Taylor, 6 Colo. 1, 382, 386
Puffer v. Chicago, &c., R. Co. 65 Minn. 350, 1697
Puget Sound, &c., R. Co. v. Ouillette, 7 Wash. 265, 140. 150
Pugh v. Brown, 19 Ohio, 202, 553
v. Chesapeake, &c., R. Co., 101 Ky. 77, 1306, 1635
v. Fairmount, &c., Co., 112 U. S. 238, 486
v. Golden Valley R. Co., L. R. 12 Ch. Div. 274, 960, 974
v. Sharman's Case, L. R. 13 Eq. 566, 107
Pulaski v. Gilmore, 21 Fed. 870, 820, 839, 875
Pulaski County, &c., Cases, 49 Ark. 518, 740
Pulbrook v. Richmond, &c., Co., L. R. 9 Ch. Div. 610, 241, 271
Pullan v. Cincinnati, &c., Co., 4 Biss. 35, 70, 71, 489, 490, 495, 539, 540, 544, 545, 546
v. Railroad Co., 5 Biss. 257, 495, 497
Pullis v. Pullis Bros. 157 Mo. 565, 491, 502
Pullman, &c., Co. v. Adams, 120 Ala. 581, 1616, 1622, 1623, 1647, 1689g
v. Adams, 189 U. S. 420, 759, 762
v. Arents, 28 Tex. Civ. App. 71, 1623
v. Bales, 14 S. W. 855, 1621
v. Bales, 80 Tex. 211, 1577, 1618, 1620, 1640
v. Barker, 4 Colo. 344, 1577, 1621, 1640
v. Bluhm, 109 Ill. 20, 1622, 1804
v. Board, 55 Fed. 206, 1618
v. Booth (Tex. Civ. App.), 28 S. W. 719, 1617, 1620, 1640
v. Central, &c., Co., 65 Fed. 158, 369, 1616
v. Commonwealth, 107 Pa. St. 156, 755
v. Ehrman, 65 Miss. 383, 1621, 1640
v. Fielding, 62 Ill. App. 577, 1621a
v. Freudenstein, 3 Colo. App. 540, 1616, 1622, 1623
v. Games, 3 Tenn. Ch. 587, 760
v. Gardner, 3 Pennypacker, 78, 1622
v. Gavin, 93 Tenn. 53, 1616, 1622
v. Gaylord, 26 Am. L. Reg. 512, 1616
v. Gaylord, 23 Am. L. Reg. (N. S.) 788, 1622
v. Green, 57 S. E. 233, 1622, 1647
v. Hall, 106 Ga. 765, 1616, 1623
v. Harkins, 55 Fed. 932, 1283
v. Hayward, 141 U. S. 36, 766
v. Hocker, 93 S. W. 1009, 1621, 1625
v. Kelly, 86 Miss. 87, 1816
v. King, 99 Fed. 380, 1617, 1621
v. Krauss, 40 So. 398, 1577, 1617, 1621
v. Laack, 143 Ill. 242, 1283, 1318, 1702
v. Lawrence, 74 Miss. 782, 1618, 1640, 1802, 1803
v. Lee, 49 Ill. App. 75, 200, 1616, 1619
v. Lowe, 28 Neb. 239, 1622
v. Lowe, 29 Am. L. Reg. 251, 1616

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Pullman, &c., Co. v. Marsh, 24 Ind. App. 129, 1620
v. Martin, 95 Ga. 314, 1622
v. Martin, 92 Ga. 161, 1622
v. Matthews, 74 Tex. 654, 1621, 1622
v. Missouri Pacific Co., 115 U. S. 587, 21, 237, 329, 333, 606, 1625a, 1681, 1685
v. Nelson, 22 Tex. Civ. App. 223 1617
v. Nolan, 22 Fed. 276, 760, 763
v. Norton, 91 S. W. 841, 1618, 1625
v. Pennsylvania, 141 U. S. 18, 737, 755, 757
v. Pollock, 69 Tex. 120, 1621, 1622, 1624, 1654
v. Reed, 75 Ill. 125, 200, 1594, 1620, 1802
v. Schaffner, 126 Ga. 609, 1622
v. Smith, 73 Ill. 360, 1622, 1623, 1627, 1640
v. Smith, 79 Tex. 468, 1621, 1640
v. Taylor, 65 Ind. 153, 1620
v. Texas, &c., R. Co., 11 Fed. 625, 1675
v. Trimble, 8 Tex. Civ. App. 335, 1821
v. Willett, 27 Ohio Cir. Ct. 649, 1617, 1620
Pulsford v. Richards, 17 Beav. 87, 127
Pumpelly v. Green Bay Co., 13 Wall. (U. S.) 166, 951, 976, 979, 980, 1049d
Purcell v. Chicago, &c., R. Co., 109 Ia. 628, 1257
v. English, 86 Ind. 34, 1702
v. Richmond, &c., R. Co., 108 N. Car. 414, 1575, 1627a
v. Southern R. Co., 119 N. Car. 728, 1319
v. St. Paul, &c., R. Co., 48 Minn. 134, 1806, 1816, 1817
Purdy v. Erie R. Co., 162 N. Y. 42, 1662d, 1670a, 1689h
v. Lansing, 128 U. S. 557, 836, 857, 895
v. New York, &c., R. Co., 87 Hun, 97, 1166, 1191l
v. New York, &c., R. Co., 61 N. Y. 353, 1190, 1192
v. Rome, &c., R. Co., 125 N. Y. 209, 1376
Purifoy v. Richmond, &c., R. Co., 108 N. Car. 100, 927, 948, 1056b
Purinton v. Maine, &c., R. Co., 78 Me. 569, 1153
v. Northern Illinois, &c., R. Co., 46 Ill. 297, 935
Purl v. St. Louis, &c., R. Co., 72 Mo. 168, 1166, 1168, 1172
Purple v. Union Pac. R. Co., 114 Fed. 123, 1255, 1578, 1588
Pursley v. Hayes, 22 Iowa, 11, 422
Purtell v. Chicago, &c., R. Co., 74 Wis. 132, 1066, 1069
Purton v. New Orleans, &c., R. Co., 3 La. Ann. 19, 133
Putnam v. New Albany, 4 Biss. (U. S.) 365, 176
v. Boston, &c., R. Co., 182 Mass. 351, 1057j
v. Broadway, &c., R. Co., 55 N. Y. 108, 200, 1577, 1591, 1621, 1637, 1640
Putnam v. Douglas Co., 6 Ore. 328, 988, 995
v. Ingraham, 114 U. S. 57, 650
v. Jacksonville, &c., R. R. Co., 61 Fed. R. 440, 528, 546, 548
v. Misochi, 189 Mass. 421, 183
v. Ross, 46 Mo. 337, 1066
v. Ruch, 56 Fed. 416, 165, 551
v. Southern, &c., R. Co., 21 Ore. 230, 1375, 1376
Puyallup v. Lacey, 86 Pac. 215, 955
Pye v. Mankato, 36 Minn. 373, 977
Pyke v. Jamestown, 107 N. W. 359. 1804
Pyle v. East Tennessee, &c., R. Co., 1 Interst. Com. 767, 1678
Pyle Works, Re, 63 L. T. R. 628, 604
Pym v. Great Northern, &c., R. Co., 4 Best & S. 396, 1361
v. Great Northern, &c., R. Co., 2 Foster & F. 619, 1587
Pyne v. Chicago, &c., R. Co., 54 Iowa, 223, 1344, 1355
Pyrolusite, &c., Co., Matter of, 29 Hun (N. Y.), 429, 608

Q.

Quackenbush v. Chicago, &c., R. Co., 73 Iowa, 458, 1589
v. Chicago, &c., R. Co., 91 Mich. 308, 1065
v. Wisconsin, &c., R. Co., 62 Wis. 411, 668, 1192, 1270
Qualfe v. Chicago, &c., R. Co., 48 Wis. 513, 1590, 1641
Quaker City Nat. Bank v. Nolan County, 59 Fed. 660, 888
Quantz v. Southern R. Co., 137 N. Car. 136, 1592
Quarrier v. Baltimore, &c., R. Co., 20 W. Va. 424, 1406
Quay v. Presidio & F. R. Co., 82 Cal. 1, 92
Quayle v. Missouri, &c., R. Co., 63 Mo. 365, 1014, 1041
Quebec Steamship Co. v. Merchant, 133 U. S. 375, 1276, 1318
Quebrada Ry., Re, 60 L. T. R. 482, 85
Queen, The, 78 Fed. 155, 1716
Queen v. Ambergate, &c., R. Co., 1 El. & Bl. 372, 642
v. Birmingham, &c., R. Co., 2 Q. B. 47, 642, 1107
v. Birmingham, &c., R. Co., 2 Gale & D. 236, 709
v. Dayton, &c., R. Co., 95 Tenn. 458, 1315
v. Grand Junction, &c., R. Co., 4 Q. B. 18, 811
v. Great, &c., R. Co., 9 Q. B. 315, 709
v. Isle of Ely, 15 Q. B. 827, 1096al
v. Lancaster, &c., R. Co., 6 A. & E. (N. S.) 759, 1024
v. London, &c., R. Co., 16 Ad. & E. (N. S.) 864, 642
v. Paget, L. R. 8 Q B. D. 151, 729
v. Peters, 16 New Bruns. 77, 1695
v. Rigby, 14 Q. B. 687, 1107, 1176
v. Southern R. Co., 4 H. L. Cas. 471, 918
v. Trustees, &c., 1 Ad. & E. (N. S.) 860, 642
Queen of the Pacific, The, 180 U. S. 49, 1424, 1505, 1512

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Queenan v. Palmer, 117 Ill. 619, 188, 189
Queensbury v. Culver, 19 Wall. 83, 486, 835
Queensmore, The, 53 Fed. 1022, 1558
Quibell v. Union, &c., R. Co. 7 Utah, 122, 1313
Quick v. Indianapolis, &c., R. Co., 130 Ind. 134, 1282
v. Lemon, 105 Ill. 578, 102, 155, 180
v. Taylor, 113 Ind. 540, 972
Quigan v. Delaware, &c., R. Co., 129 N. Y. 50, 1699
Quiggin v. Duff, 1 M. & W. 174, 1517
Quiggle v. Trumbo, 56 Cal. 626, 552
Quigley v. Cent. Pac. Co., 11 Nev. 350, 23, 213, 649, 1802, 1823
v. Pennsylvania R. Co., 210 Pa. 162, 1810, 1814
Quill v. Indianapolis, 124 Ind. 292, 892, 918
Quimby v. Boston, &c., R. Co., 69 Me. 340, 1249
v. Boston, &c., R. Co., 150 Mass. 365, 364, 1236, 1378c, 1498, 1605, 1607, 1608, 1645
v. Carter, 20 Me. 218, 715
v. Liverpool, &c., Railroad, 150 Mass. 365, 1494
v. Vanderbilt, 17 N. Y. 306, 1434, 1435, 1447, 1593, 1627a
v. Vermont Central R. Co., 23 Vt. 387, 972, 1160, 1181
Quincy v. Cooke, 107 U. S. 549, 843
v. Jackson, 113 U. S. 332, 836, 840
v. Jones, 76 Ill. 231, 1005, 1057
Quincy Horse, &c., Co. v. Gnuse, 38 Ill. App. 212, 1096ce, 1096cf, 1764
v. Omer, 101 Ill. App. 155, 1807
Quincy, &c., Bridge Co. v. Adams Co., 88 Ill. 615, 26, 28, 339, 389
Quincy, &c., R. Co. v. Humphreys, 145 U. S. 82, 551, 570, 582
v. Kellogg, 54 Mo. 334, 926, 1025, 1029, 1041
v. Morris, 84 Ill. 410, 814, 822, 826, 876, 901
v. Ridge, 57 Mo. 599, 995
v. Schulte, 71 Fed. R. 487, 1402
v. Taylor, 43 Mo. 35, 1020, 1024
v. Willhoener, 72 Ill. 60, 1155, 1206, 1310
Quiner v. Marblehead Social Ins. Co., 10 Mass. 476, 93
Quinger v. New York, &c., R. Co., 4 Hun (N. Y.), 159, 1298a
Quinlan v. Houston, &c., R. Co., 89 Tex. 356, 17
v. Welch, 141 N. Y. 158, 1702
v. Newton, &c., St. R. Co., 191 Mass. 58, 1096bt
Quinn v. Boston, &c., R. Co., 188 Mass. 473, 1096br
v. Brooklyn Heights R. Co., 91 App. Div. (N. Y.) 489, 1333c
v. Chicago, &c., R. Co., 107 Ia. 710, 1312, 1829
v. Chicago, &c., R. Co., 162 Ind. 443, 1153, 1179b, 1179l
v. Illinois, &c., R. Co., 51 Ill. 495, 1630
v. Johnson, &c., Co., 9 Houst. 338, 1283
v. Kansas City, &c., R. Co., 94 Tenn. 713, 1388
v. Lighterage Co., 23 Fed. 363, 1317
Quinn v. Louisville, &c., R. Co., 98 Ky. 231, 1591a, 1591c
v. Madigan, 65 N. H. 8, 307
v. New Jersey, &c., Co., 23 Fed. 363, 1301, 1319, 1321
v. New York, &c., R. Co., 56 Conn. 44, 1374
v. New York, &c., R. Co., 175 Mass. 150, 1288
v. Railroad Co., 51 Ill. 495, 1628c
v. South Carolina, &c., Co., 29 So. Car. 381, 213, 1633, 1802

R.

Rabe v. Dunlap, 51 N. J. Eq. 40, 325, 325a, 328, 380, 529
Raben v. Central Iowa R. Co., 74 Iowa, 732, 1628, 1628a
v. Central, &c., R. Co., 73 Iowa, 579, 1628
Rabidon v. Chicago, &c., R. Co., 115 Mich. 390, 1194
Race v. Easton, &c., R. Co., 62 N. J. L. 536, 1689c
Racine v. Chicago, &c., R. Co. (Wis.) 65 N. W. 857, 1112
v. New York, &c., R. Co., 70 Hun, 453, 1278, 1299, 1308
Racine Co. Bank v. Ayres, 12 Ws. 512, 122, 275
Racine, &c., R. Co. v. Farmers, &c., Co., 49 Ill. 331, 27, 28, 42, 331, 337, 529, 535
Rack v. Chicago City R. Co., 69 Ill. App. 656, 1096ce
Radcliff v. Mayor, 4 N. Y. 195, 1057, 1223
Raddleson v. Murray, 8 A. & E. 109, 1409
Radebaugh v. Tacoma, &c., R. Co., 8 Wash. 570, 494
Raden v. Georgia R. Co., 78 Ga. 47, 1261
Rader v. Maddox, 150 U. S. 128, 229
Radford v. Folsom, 55 Iowa, 276, 584
Radjavilier v. Third Ave. R. Co., 38 App. Div. (N. Y.) 11, 1772
Radke v. Winona & St. P. R. Co., 39 Minn. 262, 795
Radley v. Columbia Southern R. Co., 44 Ore. 332, 1579, 1581, 1632
Radnor v. Philadelphia, &c., R. Co., 214 Pa. St. 299, 1107, 1114e
Rae v. Grand Trunk R. Co., 14 Fed. R. 401, 1394
Rafferty v. Buffalo, &c., R. Co., 37 App. Div. (N. Y.) 618, 484
v. Central Trac. Co., 147 Pa. St. 579, 6, 9, 629, 1049, 1088, 1089, 1096c
v. Missouri Pac. R. Co., 91 Mo. 33, 1701
v. Portland, &c., R. Co., 32 Wash. 259, 1204
Ragan v. Aiken, 9 Lea (Tenn.), 609, 67, 324, 1467, 1560, 1676, 1682
v. Kansas City, &c., R. Co., 111 Mo. 456, 987, 1049e
v. Kansas City, &c., R. Co., 144 Mo. 623, 995
v. McElroy, 98 Mo. 349, 404
v. Toledo, &c., R. Co., 97 Mich. 265, 1288
Ragland v. McFall, 137 Ill. 81, 603
Ragon v. Toledo, &c., R. Co., 97 Mich. 265, 1267, 1268, 1297

Digitized by Google

[References are to Sections—Vol. I, §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ragsdale v. Memphis, &c., R. Co., 3 Baxter (Tenn.), 426, 1300
v. Railroad Co., 42 Fed. 383, 1318
Rahn Twp. v. Tamaqua, &c., R. Co., 167 Pa. St. 84, 1096bf, 1096bl
Rahrer, In re, 140 U. S. 545, 1663, 1665, 1668, 1671
Raht v. Southern R. Co., 5 S. W. 72, 948a
Raiford v. Mississippi, &c., R. Co., 43 Miss. 233, 1204
Railroad v. Wyrick, 99 Tenn. 500, 1689l
Railroad Commissioners, In re, 11 Misc. (N. Y.) 103, 1613
Railroad Commission Cases, 116 U. S. 307, 2, 659, 676, 682, 685, 691, 779
Railroad Commissioners, In re, 83 Me. 273, 682, 684
Railroad Com'r, In re, 65 Atl. 82, 1662c
Railroad Com'rs v. Atlantic, &c., R. Co., 71 S. Car. 130, 682a, 698
v. Clyde, &c., Co., 5 Interst. Com. Com. 326, 1667, 1678
v. Eureka Springs Co., 7 I. C. C. 69, 1670c
v. Grand Rapids, &c., R. Co., 130 Mich. 248, 531
v. Illinois Cent. R. Co., 27 Sup. Ct. 90, 682a
v. Kansas City So. R. Co., 111 La. Ann. 133, 682a, 697
v. Oregon, &c., R. Co., 17 Ore. 65, 682, 683
v. Portland, &c., R. Co., 63 Me. 269, 431, 458, 635, 639, 662, 694, 698, 931a
v. Railroad Co., 22 S. Car. 220, 689, 699, 1666
v. Savannah, &c., R. Co., 5 Interst. Com. Com. 13, 1684
v. Wabash R. Co., 123 Mich. 669, 689, 698
Railroad Co. v. Allerton, 18 Wall. (U. S.) 233, 87, 163, 252, 440
v. Alsbrook, 146 U. S. 279, 768
v. Anderson, 79 Tex. 427, 1057d
v. Andrews, 50 Fed. 728, 1318
v. Androscoggin Mills, 22 Wall. 594, 1435, 1446, 1502
v. Anoka Nat. Bank, 108 Fed. 482, 1445
v. Arnol, 144 Ill. 261, 1585
v. Aspell, 23 Pa. St. 147, 1589, 1628
v. Baldwin, 103 U. S. 426, 796, 798
v. Baldwin, 113 Tenn. 205, 1647
v. Barnes, 2 N. Dak. 310, 799
v. Barron, 5 Wall. 90, 477, 1378
v. Baugh, 149 U. S. 368, 1318
v. Beecher, 24 Kan. 228, 298
v. Berks County, 6 Pa. St. 70, 750
v. Berry, 60 Ark. 433, 1647, 1648, 1649
v. Berry, 53 Kan. 112, 1582
v. Best, 169 Ill. 301, 1581
v. Bingham, 87 Tenn. 522, 980, 1087
v. Boyer, 13 Pa. St. 497, 1020, 1025
v. Brown, 17 Wall. 445, 477, 581, 1237, 1665
v. Bucher, 7 Watts (Pa.), 33, 1025
v. Bundy, 97 Ill. App. 202, 1470
v. Chenoa, 43 Ill. 209, 1096ag
v. Commission Cases, 116 U. S. 307, 684
v. Commonwealth, 81 Ky. 492, 771
Railroad Co. v. Cooper, 30 Vt. 476, 623
v. Crider, 91 Tenn. 489, 1183
v. Davenport, 177 Ill. 110, 1582
v. Davidson, 25 Tex. Civ. App. 134, 1057d
v. Dennis, 116 U. S. 655, 768
v. Dies, 91 Tenn. 177, 1480
v. Dupont, 128 Fed. 840, 1641
v. Durant, 95 U. S. 576, 1058
v. Elder, 57 Kan. 312, 1634
v. Fairbanks, 90 Fed. 467, 1480
v. Falconer, 103 U. S. 821, 819, 842
v. Farmers, &c., 107 Ky. 53, 1449
v. Fitzpatrick, 42 Ohio St. 318, 1279
v. Foreman, 24 W. Va. 662, 988, 1038, 1050
v. Forsythe, 159 U. S. 46, 798
v. Fraloff, 110 U. S. 24, 1510, 1646, 1647, 1650, 1661
v. Frazer, 55 Kan. 582, 1582
v. Fuller, 17 Wall. 560, 658, 662, 1668
v. Fuqua, 84 Miss. 490, 1527a
v. Furnace Co., 37 Ohio St. 434, 251
v. Gaines, 97 U. S. 697, 330, 747
v. Gardiner, 51 Neb. 70, 1494
v. Georgia, 98 U. S. 359, 335, 531, 613, 747
v. Gesner, 20 Pa. St. 240, 1041
v. Gibbes, 142 U. S. 386, 757
v. Gladmon, 15 Wall. 401, 1095, 1163, 1261, 1701
v. Greenwood, 99 Ala. 501, 1589
v. Hailey, 94 Tenn. 383, 1582
v. Halstead, 7 W. Va. 301, 982, 1051
v. Hamblen County, 102 U. S. 273, 613
v. Hambleton, 40 Ohio St. 496, 1048
v. Hambly, 154 U. S. 349, 1318
v. Hanning, 15 Wall. (U. S.) 649, 1248, 1641
v. Harris, 12 Wall. (U. S.) 65, 23, 28, 29, 1371
v. Hecht, 95 U. S. 168, 1053
v. Higdon, 111 Tenn. 121, 1057
v. Hodges 113 Ill. 323, 751
v. Houston, 95 U. S. 697, 1153, 1156, 1165, 1166, 1168
v. Howard, 7 Wall. 392, 237, 315, 351, 508, 527, 535, 600
v. Husen, 95 U. S. 465, 690, 1461, 1547, 1664, 1668, 1669
v. Hutchins, 37 Ohio St. 282, 334, 1057
v. Iron Works, 31 W. Va. 710, 923
v. Jackson, 7 Wall. 262, 769
v. James, 6 Wall. 750, 72, 389
v. Jennings, 190 Ill. 478, 1579
v. Jersey City, 47 N. J. L. 286, 1096ag
v. Johnson, 59 Ark. 122, 1166
v. Jones, 95 U. S. 439, 1632, 1643
v. Jones, 155 U. S. 333, 1445
v. Ketcham, 133 Ind. 346, 1578a
v. Klepman, 108 Tenn. 304, 1595
v. Koontz, 104 U. S. 5, 24, 773
v. Laloge, 24 Ky. L. 693, 1579
v. Lauderbach (Pa.), 3 Atl. 672, 1096cp
v. Lawler, 40 Neb. 356, 1516
v. Letson, 2 How. (U. S.) 497, 23
v. Lillie, 112 Tenn. 331, 1654

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Railroad Co. v. Lockwood, 17 Wall. (U. S.) 357, 388, 1377, 1396, 1415, 1466, 1496, 1497, 1604, 1605, 1606, 1608, 1609, 1627, 1645, 1663
v. Loftin, 105 U. S. 258, 746
v. Lohe, 68 Ohio St. 101, 1630
v. McMillan, 37 Ohio St. 554, 1213
v. Maine, 96 U. S. 499, 59, 613, 747
v. Maris, 16 Kan. 333, 1398
v. Marshall, 71 Kan. 866, 1590a
v. Manufacturing Co., 16 Wall. (U. S.) 318, 1412, 1432, 1435, 1443, 1449, 1464, 1501, 1533
v. Maryland, 21 Wall. 456, 760, 764
v. Mayor, 38 S. E. 60, 1109
v. Meyers, 62 Fed. 367, 1630a
v. Mitchell, 11 Heisk. 400, 1583, 1644
v. Morgan, 72 Ill. 155, 1002
v. Mulford, 162 Ill. 522, 1445
v. Murphy, 148 Ill. 462, 1589
v. Naive, 112 Tenn. 239, 1522, 1527a
v. National Bank, 102 U. S. 14, 1663
v. Newbrander, 40 Ohio St. 15, 1193, 1198
v. Nieman, 84 Ill. App. 272, 1558
v. Norton, 24 Pa. St. 465, 1094, 1096cb
v. Norwood, 62 Miss. 565, 1063
v. O'Donnell, 49 Ohio St. 489, 1461, 1483, 1519, 1526, 1537
v. O'Hara, 48 Ohio St. 343, 1007
v. Omaha, 170 U. S. 57, 1109
v. Orr, 18 Wall. (U. S.) 471, 509, 549
v. Otoe County, 16 Wall. 667, 814, 826
v. Owen, 93 Ky. 201, 1510
v. Palmes, 109 U. S. 244, 747
v. Peniston, 18 Wall. 5, 778, 779, 1665
v. Pennsylvania, 15 Wall. 300, 736
v. People, 200 U. S. 561, 1102, 1109
v. Pratt, 22 Wall. 123, 1434, 1435, 1437, 1441, 1445, 1474, 1475, 1478, 1480, 1551, 1670
v. Randolph, 65 Ill. App. 208, 1638
v. Reiss, 183 U. S. 621, 1449
v. Reeves, 10 Wall. 176, 1455, 1457, 1457a, 1488, 1534, 1584
v. Richmond, 19 Wall. 584, 1665, 1671
v. Richmond, 96 U. S. 521, 662, 663
v. Richmond, 23 Ky. L. 2394, 1589
v. Ricketts, 37 S. W. 952, 1590a
v. Rodrigues, 10 Rich. L. (S. C.) 278, 127, 149
v. Root, 49 Neb. 900, 1631
v. Ross, 112 U. S. 377, 1318
v. Sadler, 91 Tenn. 508, 1207
v. Sanders, 98 Ala. 293, 1589
v. Schurmeir, 7 Wall. (U. S.) 272, 1085
v. Schutte, 103 U. S. 118, 503, 1358e
v. Siddons, 53 Ill. App. 607, 1627a
v. Skillman, 39 Ohio St. 444, 1603
v. Skinner, 19 Pa. St. 298, 1180, 1209
v. Smith, 48 Ohio St. 219, 83, 185, 186, 188
v. Smith, 9 Wall. (U. S.) 95, 1096z
Railroad Co. v. Smith, 31 S. C. R. (Canada) 367, 1589
v. Soutter, 13 Wall. (U. S.) 517, 529
v. Spence, 93 Tenn. 173, 1378
v. Stevens, 95 U. S. 655, 1376, 1497, 1605, 1608, 1627, 1670
v. Stout, 17 Wall. (U. S.) 657, 1259, 1702
v. Swasey, 23 Wall. (U. S.) 405, 518
v. Sympkins, 54 Tex. 615, 1257
v. Taylor, 57 Ark. 136, 1212
v. Tennessee, 101 U. S. 337, 700
v. Thillman, 143 Ill. 127, 1057d
v. Thomas, 132 U. S. 174, 768
v. Thomas, 60 Fed. 379, 1632
v. Thomas, 79 Ky. 169, 1578a
v. Trotter, 37 Ark. 593, 1096bn
v. Tyree, 7 W. Va. 693, 988
v. Vance, 96 U. S. 450, 23
v. Volls, 98 Ga. 446, 1579
v. Wachter, 123 Ill. 440, 1057d
v. Walker, 11 Heisk. (Tenn.) 383, 1155
v. Wiggs, 43 Fed. 333, 799
v. Wilson, 79 Tex. 371, 1578a
Railroad Land Co. v. Courtright, 21 Wall. 310, 793, 797
Railroad Nat. Bank v. Lowell, 109 Mass. 214, 902, 911
Railroad School Tax, In re, 78 Mo. 596, 737
Railroad-Telegraph Co.'s, In re, 12 Int. Com. 10, 1688
Railsback v. Wayne, &c., Co., 10 Ind. App. 622, 1283
Railway Co. v. Allender, 59 Ill. App. 620, 1627a
v. Alling, 99 U. S. 463, 41, 618, 921, 922, 1083, 1096z
v. Ball, 66 S. W. 881, 1629
v. Bank, 112 Fed. 861, 1462
v. Battle, 69 Ark. 369, 1590a
v. Beckwith, 129 U. S. 27, 772, 1360
v. Bell, 100 Ky. 203, 1585
v. Black, 87 Tex. 160, 1582
v. Bosworth, 46 Ohio St. 81, 945
v. Botts, 22 Tex. Civ. App. 609, 1423
v. Bruce, 55 Ark. 65, 1678
v. Burrows, 33 Mich. 6, 1484
v. Callahan, 56 Fed. 988, 1318
v. Campbell, 61 Kan. 439, 1593a
v. Coggins, 88 Fed. 455, 1578a
v. Cohen, 55 S. W. 1123, 1450
v. Collins, 84 Tex. 121, 1339
v. Cox, 66 Ohio St. 276, 1582
v. Cox, 60 Ark. 106, 1628, 1641
v. Cravens, 57 Ark. 112, 1425, 1454
v. Cronin, 38 Ohio St. 122, 1067, 1071
v. Cullen, 54 Ark. 431, 1171
v. Cushney, 95 Tex. 309, 1450
v. Daniels, 90 Ill. App. 154, 1637
v. Dawson, 98 Va. 577, 1585
v. Divinney, 66 Kans. 776, 1638
v. Erick, 51 Ohio St. 46, 1327
v. Ferguson, 57 Ark. 16, 1249
v. Fire Association, 55 Ark. 163, 1234
v. Fort, 17 Wall. 553, 1317
v. Franchere, 35 S. C. 68, 1608
v. Frankel Bros., 33 S. C. 115, 1536
v. Gardner, 114 Fed. 186, 1628a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Railway Co. v. Gardner, 45 Ohio St. 309, 978, 1086
v. Gilbert, 52 Fed. 711, 1243
v. Grant, 86 Miss. 565, 1608
v. Hall, 100 Fed. 760, 1641, 1696
v. Hardy, 55 Ark. 134, 1626
v. Heiskell, 38 Ohio St. 666, 1213
v. Henderson, 57 Ark. 402, 1548
v. Holder, 10 Tex. Civ. App. 223, 1450
v. Howard, 40 Ohio St. 6, 1209
v. Jewett, 37 Ohio St. 649, 547
v. Kavanaugh, 92 Fed. 56, 1494
v. Kirkham, 63 Kan. 255, 1514
v. Klepper, 24 S. W. 567, 1492
v. Lacey, 3 Younge & J. 80, 115
v. Larkin, 82 S. W. 1026, 1278a
v. Lauricella, 26 S. W. 303, 1629
v. Lawrence, 38 Ohio St. 41, 1087
v. Lawton, 55 Ark. 428, 1579, 1589
v. Lee, 92 Fed. 318, 1632
v. Leech, 41 Ohio St. 388, 1298
v. Leftwich, 117 Fed. 127, 1630a
v. McCarthy, 96 U. S. 258, 228, 485, 492, 1434, 1471
v. McCoy, 42 Ohio St. 251, 1071
v. McDonnell, 91 Ill. App. 488, 1635
v. Mackey, 127 U. S. 205, 1360
v. Manchester Mills, 88 Tenn. 653, 1463, 1516
v. Mathis, 73 S. W. 411, 1578a
v. Murphy, 60 Ark. 333, 1464
v. Neville, 60 Ark. 375, 1459, 1520, 1527, 1527a
v. Nevill, 14 Phila. 414, 1459
v. Newberger, 67 Kan. 846, 1527
v. Orton, 67 Kans. 848, 1588
v. Osborn, 189 U. S. 383, 1103
v. Owens, 123 Ga. 393, 1579
v. Phillio, 96 Tex. 18, 1578a
v. Posten, 59 Kan. 449, 1605
v. Prescott, 16 Wall. 603, 779
v. Rich, 33 Ia. 113, 851a
v. Richards, 68 Tex. 375, 1339
v. Safford, 48 S. W. 1105, 1627a
v. Sageley, 56 Ark. 549, 1218
v. Salzman, 52 Ohio St. 558, 1592
v. Schneider, 45 Ohio St. 678, 711, 1155, 1161
v. Shoecraft, 53 Ark. 96, 1213
v. Smith, 70 Ark. 179, 1589
v. Smith, 40 Kan. 192, 62
v. Spangler, 44 Ohio St. 471, 1376
v. Sprague, 103 U. S. 756, 505, 507
v. Stevens, 95 U. S. 655, 1670
v. Stewart, 68 Ark. 606, 1589
v. Stone, 112 Tenn. 348, 1484, 1510
v. Timmermann, 61 Tex. 660, 1242
v. Tomlinson, 69 Ark. 489, 1579
v. Torrey, 58 Ark. 217, 1318
v. Trimble, 54 Ark. 354, 1637
v. Troesch, 68 Ill. 545, 1318
v. Valleley, 32 Ohio St. 345, 1172, 1369, 1637
v. Vivion, 19 Ky. L. 580, 1585
v. Walker, 154 U. S. 653, 1589
v. Walrath, 38 Ohio St. 461, 1320, 1640, 1644
v. Wellman, 143 U. S. 339, 691
v. Whitton, 13 Wall. (U. S.) 270, 23, 28, 649, 1371
v. Wingate, 143 Ind. 125, 1590
v. Wood, 104 Fed. 663, 1590a
v. Wright, 151 U. S. 470, 771
v. Wynn, 88 Tenn. 320, 1401, 1510, 1719
Railway Co. v. Young, 90 Fed. 709, 1578a, 1588
Railway, &c., Co. v. Lincoln, &c., Bank, 31 N. Y. Supp. 44, 297
v. Railroad, &c., Commission, 39 Minn. 231, 682
Raines v. Chesapeake, &c., R. Co. (W. Va.) 60 Am. & Eng. R. Cas. 75, 1257
Rainey v. New York, &c., R. Co., 63 Hun, 495, 1163
v. Red River, &c., R. Co., 89 S. W. 768, 954
Rains v. St. Louis, &c., R. Co., 71 Mo. 164, 1269, 1271, 1303, 1312
Raison v. Chicago, &c., R. Co., 215 Ill. 47, 1361, 1366
Rajnowski v. Detroit, &c., R. Co., 74 Mich. 20, 1247, 1378
v. Detroit, &c., R. Co., 78 Mich. 681, 1247
Raleigh v. Fitzpatrick, 43 N. J. Eq. 501, 535
v. Peace, 110 N. Car. 32, 782
Raleigh, &c., R. Co. v. Jenkins, 68 N. Car. 502, 863, 874
v. Jones, 1 Ired. L. (N. Car.) 24, 1053
v. Lowe, 101 Ga. 324, 1429, 1523
v. Swanson, 102 Ga. 754, 1612
v. Sturgeon, 120 N. Car. 225, 968a
v. Wake County, 87 N. C. 414, 76
v. Wicker, 74 N. Car. 220, 977, 995, 996
Raleigh, &c., Co. v. Davis, 2 D. & B. L. (N. Car.) 451, 950, 951, 960, 1012, 1050
Ralls v. Douglass, 105 U. S. 728, 819, 822, 824, 881, 914
Ralls County Ct. v. United States, 105 U. S. 733, 834, 840, 918
Ralph v. Wisiner, 100 Mich. 164, 543
Ralston v. Washington, &c., Ry. Co., 65 Fed. 557, 561
Ramble v. San Antonio, &c., R. Co., 100 S. W. 1022, 1830
Raming v. Metropolitan St. R. Co., 157 Mo. 477, 1096cs, 1689d
Ramsay v. Erie, &c., R. Co., 8 Abb. Pr. (N. Y.) N. S. 174, 167
v. Midland R. Co., 16 Am. & Eng. R. Cas. 594, 303
Ramsden v. Boston, &c., Co., 104 Mass. 117, 213, 302, 1255, 1637, 1638, 1662
v. Manchester, &c., R. Co., 1 Exch. 723, 1055
Ramsey v. Brailsford, 2 Des. 582, 553
v. Erie R. Co., 38 How. Pr. 193, 87, 483
v. Erie R. Co., 7 Abb. Pr. N. S. (N. Y.) 156, 166
v. Louisville, &c., R. Co., 89 Ky. 99, 1153
v. People, 142 Ill. 380, 665, 1336
Ramsey, &c., Co. v. Kelsea, 55 N. J. L. 320, 1413, 1692
Ramwell's Case, 50 L. J. (Ch.) 827, 91, 95
Ranchau v. Rutland R. Co., 71 Vt. 142, 1661
Rand v. Ft. Scott, &c., R. Co., 50 Kan. 114, 1003, 1003b
v. Hubbell, 115 Mass. 461, 307, 309, 320, 395
v. Merchants', &c., Transp. Co., 59 N. H. 363, 1508
v. Townshend, 26 Vt. 670, 1001

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Rand v. Walker, 117 U. S. 340, 653
v. White Mts. R. Co., 40 N. H. 79, 182
Randall v. Baltimore, &c., R. Co., 109 U. S. 478, 1156, 1179, 1269, 1272, 1276, 1288, 1310, 1702
v. Chicago, &c., R. Co., 113 Mich. 115, 1629
v. Elwell, 52 N. Y. 521, 31, 389
v. Frankford, &c., R. Co., 139 Pa. St. 464, 1096cx, 1630, 1639
v. Jacksonville St. R. Co., 19 Fla. 409, 630, 718, 1088, 1096c, 1096d
v. Latham, 36 Conn. 48, 360
v. New Orleans, &c., R. Co., 45 La. Ann. 778, 1598
v. Richmond, &c., R. Co., 104 N. Car. 410, 1165, 1190, 1213
v. Richmond, &c., R. Co., 108 N. Car. 612, 200, 1451, 1466, 1558, 1569
v. Texas Central R. Co., 63 Tex. 586, 934, 1025
v. Van Vechten, 19 Johns. 60, 204
Randell v. Chicago, &c., R. Co., 102 Mo. App. 342, 1637, 1637a
Randle v. Pacific, &c., R. Co., 65 Mo. 325, 418, 631, 718, 1090
Randolf v. Bloomfield, 77 Ia. 50, 1057d
Randolph, Ex parte, 2 Brock. 447, 677
Randolph v. Larned, 27 N. J. Eq. 557, 67
v. Middleton, 26 N. J. Eq. 543, 487, 505, 515
v. New Jersey, &c., R. Co., 28 N. J. Eq. 49, 509
v. New York, &c., R. Co., 69 N. J. L. 420, 1278
v. O'Riordon, 155 Mass. 331, 1174
v. Wilmington, &c., R. Co., 11 Phila. (Pa.) 502, 488, 490, 515
Randolph Co. v. Post, 93 U. S. 502, 1, 4, 826, 842, 894, 898, 899, 903
Ranger v. Champion, &c., Co., 52 Fed. R. 609, 558
v. Great Western R. Co., 1 Eng. R. & Canal Cas. 1, 642, 936, 1059, 1062
v. Great Western, &c., R. Co., 13 Simons 368, 1059
v. Great Western, &c., R. Co., 5 H. L. Cas. 72, 128, 213, 1058, 1059
Ranken v. St. Louis, &c., R. Co., 98 Fed. 479, 1096be
Rankin v. Memphis, &c., R. Co., 9 Heisk. (Tenn.) 564, 1571
v. Pine, 4 Abb. Pr. (N. Y.) 309, 562
v. Rothschild, 78 Mich. 10, 558
Rankine v. Elliott, 16 N. Y. 377, 73, 184
Rannay v. Peyser, 83 N. Y. 1, 549
Ranneis v. Rowe, 145 Fed. 296, 940, 941
Ransom v. Citizens R. Co., 104 Mo. 375, 1088
Ransome v. Eastern R. Co., (1857) 1 C. B. (N. S.) 437, 1467, 1684g
Ransome v. Eastern, &c., R. Co., 1 Nev. & McN. 63, 1676, 1684g
v. Eastern, &c., R. Co., 4 C. B. B. (N. S.) 135, 1678, 1682, 1683
Ranson v. Chicago, &c., R. Co., 62 Wis. 178, 1150, 1158, 1264
v. New York, &c., R. Co., 15 N. Y. 415, 1815
v. Sault Ste Marie, 143 Mich. 661, 1057a
Rapauno, &c., Co. v. Greenfield, &c., Co., 59 Mo. App. 6, 1068, 1071
Raphael v. Governor, &c., 17 C. B. 161, 484
v. Pickford, 5 Man. & G. 551, 1482
v. Thames Valley, &c., R. Co., L. R. 2 Ch. 147, 668
Rapho Tp. v. Moore, 68 Pa. St. 404, 1278
Rapids R. Co. v. Mt. Clemens, 118 Mich. 133, 1096p
Raquette Falls Land Co. v. Hoyt, 109 App. Div. 119, 750a
Raritan, Inhabitants of Township of, v. Port Reading, &c., R. Co., 49 N. J. Eq. 11, 1109
Raritan, &c., R. Co. v. Delaware, &c., Canal Co., 18 N. J. Eq. 546, 32, 33, 968
Raritan River Co. v. Middlesex, &c., Trac. Co. 58 Atl. 332, 152
Rascher v. East Detroit, &c., R. Co., 90 Mich. 413, 1093, 1096at, 1096cb, 1096ce, 1790
Rashdall v. Ford, L. R. 2 Eq. 750, 282
Rasmussen v. Idaho, 181 U. S. 198, 1671
Ratcliff v. Baer Co., Ark. 72 S. W. 896, 571
v. Teters, 27 Ohio St. 66, 267
Rate Schedules, Re, 6 Int. Com. 267, 1684i
Rate Sheets, Re, 1 Interst. Com. R. 316, 1686
Rathbone v. Board, 83 Fed. 125, 890
v. Kiowa Co., 73 Fed. 395, 885
v. Neal, 4 La. Ann. 563, 1482
v. New York, &c., R. Co., 140 N. Y. 48, 1498
v. Oregon R. Co., 40 Ore. 225, 1255, 1632
v. Parkersburg, &c., Co., 31 W. Va. 798, 550
v. Tioga, &c., Co., 2 Watts & S. (Pa.) 74, 409, 416, 417, 939
Rathbun v. Citizens' Steamboat Co., 76 N. Y. 376, 1530
v. New York, &c., R. Co., 20 R. I. 60, 1149
v. Snow, 123 N. Y. 343, 192
Rathgebe v. Pennsylvania R. Co., 179 Pa. St. 31, 1641
Ratican v. Terminal R. Ass'n. 114 Fed. 666, 1666
Ratliff v. Quincy, &c., R. Co., 118 Mo. App. 644, 1548a, 1550a, 1555, 1557
Ratteree v. Chapman, 79 Ga. 574, 1824
v. Galveston, &c., R. Co., 36 Tex. Civ. App. 197, 1096cy, 1592
Ratterman v. Western Un., &c., Co., 127 U. S. 411, 765, 780, 1665
Ratzer v. Railway Co., 64 Minn. 245, 1426, 1429, 1540, 1541
Rau v. Minnesota Valley R. Co., 13 Minn. 442, 1005, 1057

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Rauch v. Lloyd, 31 Pa. St. 358, 302, 1090, 1169, 1261
Rauen v. Prudential, &c., Co. 106 N. W. 198, 1377
Rauenstein v. New York, &c., R. Co., 136 N. Y. 528, 1113
Ravenswood &c., R. Co. v. Ravenswood, 41 W. Va. 732, 33, 856
Rawitzer v. St. Paul, &c., Co., Minn. 108 N. W. 271, 1095
Rawitzky v. Louisville, &c., R. Co., 40 La. Ann. 47, 1598
Rawlings v. Wabash, &c., R. Co., 97 Mo. App. 515, 1578, 1650a, 1816
Rawlston v. East Tennessee, &c., R. Co., 94 Ga. 536, 1314
Raworth v. Northern Pac. R. Co., 3 Interst. Com. R. 857, 1682
Rawson v. Holland, 59 N. Y. 611, 1412, 1432, 1443a, 1449, 1452
v. Pennsylvania R. Co., 48 N. Y. 196, 1501, 1593, 1655, 1661
Ray v. Atchison, &c., R. Co., 4 Neb. 439, 629, 1048, 1049, 1050
v. Chesapeake, &c., R. Co., 57 W. Va. 333, 1114, 1154
v. Law, 1 Cranch (U. S. C. C.), 349, 518
v. United Traction Co. 96 App. Div. (N. Y.) 48, 1845
v. Vansycle, 96 U. S. 675, 842, 903
Rayburn v. Central Railroad Co., 74 Iowa, 637, 135, 1812
Raymond v. Clark, 46 Conn. 129, 495, 497, 498
v. County Commissioners, 63 Me. 110, 1018
v. Portland R. Co., 100 Me. 529, 1831
v. Tyson, 17 How. (U. S.) 53, 1570, 1572
Raynham v. Rounseville, 9 Pick. (Mass.) 44, 713
Raynor v. Celmes, 52 N. Y. 579, 511
Rea v. Mobile, &c., R. Co., 7 Int. Com. 43, 1551, 1684l
Read v. Brooklyn, &c., R. Co., 53 N. Y. S. 209, 1096bq
v. Cambridge, 126 Mass. 427, 1003, 1003b
v. City, &c., R. Co., 115 Ga. 366, 1096cm
v. Frankfort Bank, 23 Me. 318, 608, 613
v. Great Eastern Railway Co., L. R. 3 Q. B. 555, 1370, 1373, 1375, 1376
v. Memphis, &c., Co., 9 Heisk. (Tenn.) 545, 111a, 135, 224
v. New York, &c., R. Co., 45 N. Y. 574, 1788
v. Plattsmouth, 107 U. S. 568, 890
v. St. Louis, &c., R. Co., 60 Mo. 199, 1457, 1457a, 1488, 1516
v. Spaulding, 5 Bosw. 395, 1401, 1453
v. Spaulding, 30 N. Y. 630, 1455, 1457, 1459a, 1488
Reade v. Commercial Insurance Co., 3 Johns. 352, 1483
Reader v. Wedder, 66 Ill. 80, 853a
Readhead v. Midland, &c., R. Co., L. R. 2 Q. B. 412, 476, 1583, 1587
Reading v. United Traction, 202 Pa. St. 571, 1082a, 1096al
v. United Trac. Co., Pa. St. 64 Atl. 446, 1092
Reading Iron Works v. Devine, 109 Pa. St. 246, 1301
Reading Railroad Co. v. Pennsylvania (State Freight Tax), 15 Wall. 232, 1668, 1673
Reading Trust Co. v. Reading Iron Works, 137 Pa. St. 282, 99, 534
Reading, &c., Co. v. Balthaser, 126 Pa. St. 1, 1824
v. Ritchie, 102 Pa. St. 425, 1160
Readington, Inhabitante of, v. Dilley, 24 N. J. L. 209, 1039
Ready v. Missouri Pac. R. Co., 98 Mo. App. 467, 1057g
Reagan v. Casey, 160 Mass 374, 1342
v. Farmers, &c., Co., 154 U. S. 362, 2, 659, 672, 676, 689, 691, 700, 703, 705, 778, 1662d, 1684a, 1684c
v. Mercantile Trust Co., 154 U. S. 413, 689, 690, 693, 1667
v. Pacific R. Co., 21 Mo. 30, 625
v. St. Louis, &c., R. R. Co., 93 Mo. 348, 41
v. St. Louis Transit Co., 180 Mo. 117, 1843
Real Estate Associates v. Superior Court, 60 Cal. 223, 559
Realty Co. v. Appolonio, 5 Wash. 437, 398
Ream v. Pittsburg, &c., R. Co., 49 Ind. 93, 215
Reardon v. Thompson, 149 Mass. 267, 1250
Reary v. Louisville, &c., Co., 40 La. Ann. 32, 221, 1173, 1629, 1631, 1642
Reber v. Bond, 38 Fed. 822, 1582, 1629
v. Pittsburg, &c., Co., 179 Pa. St. 339, 1096cz
Recamier, &c., v. Seymour, 5 N. Y. Supp. 648, 285
Rece v. Newport News, &c., Co., 32 W. Va. 164, 23, 26, 28
Receivers of International, &c., R. Co. v. Moore, 3 Tex. Civ. App. 416, 1282
v. Wright, 2 Tex. Civ. App. 198, 1547
Rechtin v. McCary, 117 Ind. 132, 1414
Record v. Central Pac. Co., 15 167, 250
Rector v. Ashley, 6 Wall. 142, 810
Red River Bridge Co. v. Clarksville, 1 Sneed (Tenn.), 176, 964, 967, 1048
Red River Furnace Co. v. Tennessee, &c., R. Co., 113 Tenn. 697, 861
Red River R. Co. v. Hughes, 36 Tex. Civ. App. 472, 993, 994
v. Blount, 3 Tex. Civ. App. 282, 623
v. Dooley, 35 Tex. Civ. App. 364, 1209
v. Sture, 32 Minn. 95, 1025
Red Rock v. Henry, 106 U. S. 596, 482, 842
Red Willow Co. v. Chicago, &c., R. Co., 26 Neb. 660, 738a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Red Wing v. Chicago, &c., R. Co., 72 Minn. 240, 1082
Red Wing Hotel Co. v. Freidrich, 26 Minn. 112, 102
Redd v. Burns, 58 Ga. 574, 1538
v. Supervisors of Henry County, 31 Gratt. (Va.) 695, 836, 872, 893, 903
Reddall v. Bryan, 14 Md. 444, 950, 953
Redding v. South Carolina, &c., Co., 3 S. C. 1, 214
Reddington v. Philadelphia Trac. Co., 132 Pa. St. 154, 1096cy
Redfield v. Oakland, &c., R. Co., 110 Cal. 277, 1361, 1589
Redford v. Spokane St. R. Co., 9 Wash. 55, 1096cq
Redigan v. Boston, &c., R. Co., 155 Mass. 44, 1112, 1154, 1251, 1256
Redkey Citizens, &c., Gas Co. v. Orr, 27 Ind. App. 1, 147
Redlands, &c., v. Redlands, 121 Cal. 365, 1684b, 1684c
Redman v. Philadelphia, &c., R. Co., 33 N. J. Eq. 165, 986, 1049, 1050
Redmond v. Delta Lumber Co., 96 Mich. 545, 1297
v. Galena, &c., R. Co., 39 Wis. 426, 1065
v. Missouri, &c., R. Co., 104 Mo. App. 651, 1201
Reed's Appeal, 122 Pa. St. 565, 373, 527
Reed's Appeal, 34 Pa. St. 207, 226
Reed v. Acton, 120 Mass. 130, 1043
v. Axtell & Myers, 84 Va. 231, 571, 572, 1590, 1641
v. Bank, 6 Paige (N. Y.), 337, 162
v. Boston, &c., 141 Mass. 454, 82, 86
v. Bradley, 17 Ill. 321, 411, 491
v. Burlington, &c., R. Co., 72 Ia. 166, 1282
v. Chicago, &c., R. Co., 25 Fed. 886, 1006
v. Chicago, &c., R. Co., 74 Iowa, 188, 1167
v. Chicago, &c., R. Co., 71 Wis. 399, 1233, 1241
v. Chicago, &c., R. Co., 57 Ia. 23, 1820
v. Copeland, 50 Conn. 472, 96, 97
v. Detroit, 108 Mich. 224, 1804
v. Duluth R. Co., 100 Mich. 507, 1627a
v. Gettysburg, B. F. M. Assn., 129 Pa. 329, 43
v. Hanover Branch R. Co., 105 Mass. 303, 1006, 1025, 1049c
v. Hayt, 50 N. Y. Super Ct. 121, 110, 263, 483
v. Hayt, 109 N. Y. 659, 262
v. Head, 6 Allen (Mass.), 174, 307
v. Home Savings Bank, 130 Mass. 443, 213
v. Inhabitants of Northfield, 13 Pick. 94, 715
v. Jones, 6 Wis. 680, 174
v. Louisville Bridge Co., 8 Bush (Ky.), 69, 393, 690, 970
v. Missouri Pacific R. Co., 50 Mo. App. 504, 1238, 1242, 1244
v. Metropolitan St. R. Co., 69 App. Div. (N. Y.) 103, 1773
Reed v. New York, &c., R. Co., 45 N. Y. 574, 1177
v. New York Central, &c., R. Co., 56 Barb. (N. Y.) 493, 1634
v. Northeastern R. Co., 37 S. Car. 42, 1361a
v. Ohio, &c., R. Co., 126 Ill. 48, 1027, 1028
v. Queen Anne's R. Co., 57 Atl. 529, 1153, 1160
v. Richmond Street R. Co., 50 Ind. 342, 18, 36, 102, 103, 175
v. Richmond, &c., R. Co. (Va.) 33 Am. & Eng. R. Cas. 503, 571
v. Schmidt, 115 Ky. 67, 531a, 536
v. Southern R. Co. (S. C.) 55 S. E. 218, 467
v. Stockmeyer, 74 Fed. 186, 1319
v. Toledo, 18 Ohio 161, 783
v. United States Ex. Co., 48 N. Y. 462, 1435
Reedie v. London & N. W. Co., 4 Exch. 244, 1063
Reem v. St. Paul City R. Co., 82 Minn. 98, 1830
Ree's Appeal, 12 Atl. 427, 1010
Rees v. Watertown, 19 Wall. 107, 736, 840, 918
Reese v. Bank, 14 Md. 271, 99, 101
v. Bank, 31 Pa. St. 78, 320, 321
v. Hershey, 163 Pa. St. 253, 1274
v. Pennsylvania R. Co., 131 Pa. St. 422, 199, 201, 1594, 1603
Reese River, &c., Co. v. Smith, L. R. 4 H. L. 64, 127, 131, 132
v. Smith, L. R. 4 H. L. 64, 13a
Reeves v. Corning, 51 Fed. 774, 1670
v. Delaware, &c., R. Co., 30 Pa. St. 454, 1156
v. Dubuque, &c., R. Co. (Iowa) 60 N. W. 243, 1164, 1170
v. Grottendick, 131 Ind. 107, 1053
v. Philadelphia Trac. Co., 152 Pa. St. 153, 1096bl
v. Southern R. Co., 121 Ga. 561, 623
v. Southern R. Co., 68 S. Car. 89, 1802, 1848
v. Treasurer, 8 Ohio St. 333, 781, 782
Reg v. Holroyd, 2 M. & Rob. 339, 730
v. Longton Gas Co., 29 L. J. M. C. 118, 1096g
v. United Kingdom Elec. Tel. Co., 3 F. & F. 73, 1096g
Regan v. Adams Exp. Co., 49 La. Ann. 1579, 1401a, 1482, 1548a, 1719
v. Donovan, 159 Mass. 1, 1338, 1349
v. Grand Trunk, &c., R. Co., 33 N. Y. 610, 1440
v. Grand Trunk, &c., R. Co., 61 N. H. 579, 1432, 1443, 1449, 1490
v. New York, &c., R. Co., 60 Conn. 124, 1223, 1233, 1234, 1239
v. South Boston, &c., Co., 167 Mass. 406, 1096cm
Regensburg v. Nassau Elec. R. Co., 58 App. Div. (N. Y.) 566, 1831
Regents v. Williams, 9 G. & J. (Md.) 365, 53, 54
Regina v. Arnaud, 16 L. J. Q. B. 50, 395
v. Boult, 2 C. & K. 604, 734
v. Boulton, 2 C. & K. 917, 734
v. Bradford, 8 Cox C. C. 309, 730

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Regina v. Bradford, &c., R. Co., 6 B. & S. 631, 1688
v. Bristol, &c., Ry., 11 Ad. & Ell. 202, 1054
v. Brown, L. R. 2 Q. B. 630, 994
v. Caledonian R. Co., 16 Q. B. 19, 450, 919
v. Cambrian R. Co., L. R. 6 Q. B. 422, 968
v. Chittenden, 15 Cox C. C. 725, 1090
v. Frere, 4 El. & Bl. 598, 727a, 729
v. Gov. Stock Co., L. R. 3 Q. B. D. 442, 162
v. Great North of England Railway, 9 Q. B. 315, 709, 718, 1090, 1096
v. Grimshaw, L. R. 10 Q. B. 747, 164
v. Hadfield, 11 Cox C. C. 574, 730
v. Hardy, 11 Cox C. C. 656, 730
v. Hungerford Market Co., 4 B. & Ad. 596, 1025
v. Kilham, 11 Cox C. C. 561, 734
v. London, &c., R. Co., 10 Ad. & El. 3, 1025
v. Longton Gas Co., 2 El. & E. 651, 718
v. Manchester, &c., R. Co., 8 A. & Ell. 413, 1054
v. Metropolitan Board, 3 B. & S. 710, 977
v. New York, 2 Q. B. 847, 236
v. Paramore, 10 A. & E. 286, 236
v. Railway Commissioners, L. R. 22 Q. B. D. 642, 707
v. South Eastern R. Co., 4 H. L. Cas. 471, 1106
v. South Eastern R. Co., 6 Eng. L. & Eq. 214, 1109
v. Toronto St. R. Co., 24 Up. Can. Q. B. 454, 1090, 1096aa
v. Train, 3 F. & F. 22, 1
v. Train, 2 B. & S. 640, 1076, 1096g, 1096r
v. Wilts, &c., Canal Navigation Co., 29 L. T. R. (N. S.) 922, 172
v. Wycombe R., L. R. 2 Q. B. 310, 974
Rehm v. Pennsylvania, &c., R. Co., 164 Pa. St. 91, 1296
Reibel v. Cincinnati, &c., R. Co., 114 Ind. 476, 1628
Reichert v. St. Louis, &c., R. Co., 51 Ark. 491, 949, 1087, 1096
Reichwald v. Commercial Hotel Co., 106 Ill. 439, 22, 169, 253, 264, 604
Reid v. Atlanta, 73 Ga. 523, 1057d
v. Bank, 70 Ala. 199, 484
v. Central, &c., R. Co., 81 Ga. 694, 1275
v. Colorado, 187 U. S. 137, 1547, 1671
v. Eatonton Co., 40 Ga. 98, 315
v. Norfolk City R. Co., 94 Va. 117, 1088, 1096c
v. Northwestern, &c., Co., 32 Pa. St. 257, 73
v. State, 74 Ind. 252, 806
Reidinger v. Marquette, &c., R. Co., 62 Mich. 29, 415, 418
Reiff v. Conner, 10 Ark, 241, 1045
Reifsnyder v. Chicago, &c., R. Co., 90 Ia. 76, 1782
Reiger v. Commissioners, 70 N. Car. 319, 849
Reilly v. Hannibal, &c., R. Co., 94 Mo. 600, 1257
Reilly v. Oglebay, 25 W. Va. 36, 164, 169
v. Third Ave. R. Co., 37 N. Y. Supp. 593, 1095
v. Troy City St. R. Co., 32 App. Div. (N. Y.) 131, 1096ch
v. Ward, 4 G. Greene 21, 1075
Reinach v. Atlantic, &c., R. Co., 58 Fed. 33, 553
Reineman v. Covington, &c., R. Co., 7 Neb. 310, 814, 827, 890
v. Covington, &c., R. Co., 51 Iowa, 338, 1572
Reinhart v. McDonald, 76 Fed. 403, 755
Reining v. New York, &c., R. Co., 128 N. Y. 157, 1087, 1091, 1096d
Reinke v. Northern Pac. R. Co., 145 Fed. 988, 1337, 1338
Reiser v. Pennsylvania Co., 152 Pa. St. 38, 1284, 1322, 1328
Reichwald v. Commercial Hotel Co., 106 Ill. 439, 250
Reisner v. Atchison, &c., Co., 27 Kan. 382, 987, 992, 1006
v. Gulf, &c., R. Co., 89 Tex. 656, 553
v. Strong, 24 Kan. 410, 20, 957, 1048
Reiss v. Texas, &c., R. Co., 98 Fed. 537, 1519
Reissner v. Oxley, 80 Ind. 580, 40
Reitenbaugh v. Chester Valley R. Co., 21 Pa. St. 100, 1019, 1020, 1027, 1041, 1042, 1046
Rejall v. Greenhood, 60 Fed. R. 784, 553
R. E. Lee, The, 2 Abb. (U. S.) 49, 1654
Reif v. Rapp, 3 Watts & S. 21, 1491
v. Rundle, 103 U. S. 222, 350, 555, 570
Reliance Textile, &c., Co. v. Mitchell, 24 Ky. Law, 1286, 1819
Religious Teachers, In re, 1 Interst. C. R. 21, 1677, 1687
Relp v. Rapp, 3 W. & S. (Pa.) 21, 1421
Relyea v. Kansas City, &c., R. Co., 112 Mo. 86, 1300, 1315g
Rembert v. South Carolina Ry. Co., 31 S. Car. 309, 616
Remington v. Central Pac. R. Co., 198 U. S. 95, 621b, 653, 655a
v. Samana Bay Co., 140 Mass. 494, 179, 609
Remington, &c., Co. In re, 139 Fed. 766, 110
Removal Cases, 11 U. S. 457, 655
Remshart v. Savannah, &c., Railroad Co., 54 Ga. 579, 1048
Remy v. Municipality, 12 La. Ann. 500, 1040
Rend v. Chicago, &c., R. Co., 2 Interst. Com. Com. 313, 1683
Rend v. Chicago, &c., R. Co., 2 Interst. Com. R. 540, 1683
Renders v. Grand Trunk R. Co., 144 Mich. 387, 1689g
Renlund v. Commodore, &c., Co., 89 Minn. 41, 1366a
Renneker v. South Carolina, R. Co., 20 So. Car. 219, 1583, 1641
Rennie v. Clarke, 5 Ex. 292, 13
v. Northern R. Co., 27 U. C. C. P. 153, 1530
Reno v. Hogan, 51 Ky. 63, 1513
Reno, &c., Co. v. Leete, 17 Nev. 203, 285
Rensselaer v. Leopold, 106 Ind. 29, 963, 1085

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Rensselaer, &c., Co., In re, 4 Paige (N. Y.), Ch. 553, 996, 1180
Rensselaer, &c., R. Co. v. Barton, 16 N. Y. 457, 103, 106
v. Davis, 43 N. Y. 137, 42, 374, 394, 954, 960, 961, 962, 970, 1013a, 1020, 1053
v. Wetsel, 21 Barb. (N. Y.) 56, 111a, 150
Renthorp v. Bourg, 4 Martin (O. S.), (La.) 97, 951
Rentz v. Detroit, 48 Mich. 544, 1041, 1052
Renwick v. Davenport, &c., R. Co., 49 Iowa, 664, 977, 992
v. New York, &c., R. Co., 36 N. Y. 132, 1155, 1158, 1179b
Reopening of Berks St., 12 W. N. C. 10, 785
Report of Yost, 17 Pa. St. 524, 953
Report of the Commission, 1 I. C. C. 260, 1666
Republic Ins. Co., In re, 3 Biss. (U. S.) 452, 181
Republic, &c., R. Co. v. Ohler, 161 Ind. 393, 1304
Republic, &c., Co. v. Swigert, 135 Ill. 150, 537
Republican, &c., Co. v. Kansas Pac. R. Co., 12 Kan. 409, 797
Republican, &c., Mines v. Brown, 58 Fed. 664, 609
Republican Valley R. Co. v. Arnold, 13 Neb. 485, 1037, 1038
v. Chase Co., 33 Neb. 759, 738a
v. Fink, 18 Neb. 82, 986, 1051
v. Hayes, 13 Neb. 489, 1030
v. Linn, 15 Neb. 234, 996
Rerick v. Kern, 2 Am. Lead. Cas. 540, 949
v. Kern, 14 S. & R. (Pa.) 267, 949
Respublica v. Griffiths, 2 Dall. (Pa.) 112, 54
Retan v. Lake Shore, &c., R. Co., 94 Mich. 146, 1102, 1176, 1252, 1792
Retzer v. Jacob Dold Packing Co., 58 Mo. App. 264, 1377
Reuben Doud, The, 46 Fed. 800, 1535
Reusch v. Chicago, &c., R. Co., 57 Iowa, 687, 960
Revere v. Boston, 14 Gray 218, 1007
Rex v. Autridge, 8 T. R. 467, 644
v. Bank, 2 Doug. 524, 98
v. Barker, 3 Burr. 1265, 699
v. Bellringer, 4 T. R. 810, 161
v. Birmingham, &c., Nev., 2 W. Black, 708, 1056
v. Bowry, 10 Jur. 211, 733
v. Carmarthen, 1 Maule & S. 697, 164
v. Hill, 4 Barn. & Cress. 426, 164, 262
v. Hymen, 7 T. R. 532, 713
v. Liverpool, &c., R. Co., 4 Ad. & El. 650, 1025
v. London, &c., Co., 1 Dowl. & R. 510, 98
v. Mayor, &c., of Doncaster, 2 Burr. 738, 164
v. Monday, Cowp. 530, 263
v. Nottingham Water Works, 6 Ad. & El. 355, 1025
v. Pasmore, 3 T. R. 199, 53
v. Pease, 4 B. & Ad. 30, 718
v. Severn, &c., R. Co., 2 B. & Ald. 646, 639
v. Spencer, 3 Burr. 1827, 156, 191
v. Westwood, 2 Dow. & Cl. 21, 17
Rexford v. Knight, 11 N. Y. 308, 972, 1007
Reyburn v. Consumers', &c., Co., 29 Fed. R. 561, 528
Reyer v. Odd Fellows, &c., Assn., 157 Mass. 367, 24, 621a
Reynell v. Lewis, 15 Mees. & W. 517, 13
Reynolds, Ex parte, 52 Ark. 330, 1051
Reynolds v. Adden, 136 U. S. 348, 555
v. Boston, &c., R. Co., 64 Vt. 66, 1279
v. Boston, &c., R. Co., 43 N. H. 580, 1539, 1540, 1542, 1543
v. Boston, &c., R. Co., 121 Mass. 291, 1412, 1432, 1443
v. Caldwell, 51 Pa. St. 298, 1059
v. Chicago, &c., R. Co., 85 Mo. 90, 1692, 1701
v. Collins, 78 Ala. 94, 204
v. Crawfordsville, &c., Bank, 112 U. S. 405, 397, 702
v. Dunkirk, &c., R. Co., 17 Barb. (N. Y.) 613, 934
v. Everett, 144 N. Y. 189, 633
v. Faris, 80 Ind. 14, 847, 859
v. Great Northern R. Co., 69 Fed. 808, 1158
v. Great Northern R. Co., 40 Wash. 163, 1521, 1552, 1554
v. Hindman, 32 Iowa, 46, 1315
v. Manhattan Trust Co., 83 Fed. 593, 1065, 1075
v. Missouri, &c., R. Co., 70 Kan. 340, 1176
v. Myers, 51 Vt. 444, 337
v. New York, &c., R. Co., 58 N. Y. 248, 1163, 1165, 1701
v. New York, &c., R. Co., 3 N. Y. Supp. 331, 1531
v. Niagara Falls, 81 Hun (N. Y.), 353, 1820
v. Pacific Elec. R. Co., 146 Cal. 261, 1096bl
v. Presidio, &c., R. Co., 1 Cal. 229, 1096d
v. Reynolds, 15 Conn. 83, 1045
v. Richmond, &c., R. Co., 92 Va. Va. 400, 1096bt
v. Stockton, 140 U. S. 254, 587
v. Texas, &c., R. Co., 37 La. Ann. 694, 1590, 1528, 1641
v. Western, &c., R. Co., 1 Interst. Com. R. 685, 1678
Reynoldsville, &c., R. Co. v. Buffalo, &c., R. Co., 134 Pa. St. 541, 1125
v. Police Jury, 44 La. Ann. 863, 890
Rhawn v. Pearce, 110 Ill. 350, 555
Rhea v. St. Louis, &c., R. Co., 84 Mo. 345, 1195
Rheiner v. Stillwater R. &c., Co., 29 Minn. 147, 1041
v. Union, &c., R. Co., 31 Minn. 289, 1023, 1034, 1047
Rhey v. Ebensburg, &c., Co., 27 Pa. St. 261, 102, 107, 386
Rhine v. McKinney, 53 Tex. 354, 1013, 1015, 1017, 1049
Rhinebeck, &c., R. Co., In re, 67 N. Y. 242, 1033
Rhodes v. Dunbar, 57 Pa. St. 274, 631
v. Iowa, 170 U. S. 412, 1547, 1665
v. Georgia, &c., R. Co., 84 Ala. 320, 1261, 1305
v. Lee, 32 Ga. 470, 558
v. Louisville, &c., R. Co., 72 Ky. 588, 1498

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Rhodes v. Louisville, &c., R. Co., 9 Bush (Ky.), 688, 1497, 1511, 1551
v. Newhall, 126 N. Y. 574, 1420
v. Otis, 33 Ala. 578, 949
v. Piper, 40 Ind. 369, 36
v. Utica, &c., R. Co., 5 Hun (N. Y.), 344, 670b
v. Webb, 24 Minn. 292, 285
Rhode Island, &c., R. Co., In re, 22 R. I. 591, 1096bm
Rhymer v. Delaware, &c., R. Co., 27 Pa. Super Ct. 345, 1510a
Rhys v. Dare Valley R. Co., L. R. 19 Eq. 93, 1006
Ribon v. Railroad Companies, 16 Wall. (U. S.) 446, 529
Ricard v. North Pennsylvania R. Co., 89 Pa. St. 193, 1344
Rice's Appeal, 79 Pa. St. 168, 275, 527
Rice, In re, 155 U. S. 396, 642
Rice v. Atchison, &c., R. Co., 3 Interst. Com. R. 263, 1682, 1683
v. Austin, 17 Mass. 197, 1426
v. Boston, &c., R. Co., 98 Mass. 212, 1521, 1533
v. Boston, &c., R. Co., 12 Allen (Mass.), 141, 942
v. Chicago, 152 Ill. 18, 781, 786
v. Chicago, 57 Ill. App. 558, 1001
v. Cincinnati, &c., R. Co., 5 Interst. Com. Com. R. 193, 1684
v. Cincinnati, &c., R. Co., 3 Interst. Com. R. 841, 1685
v. Crescent City R. Co., 51 La. Ann. 108, 1096cd
v. Danville, &c., Turnpike Co., 7 Dana (Ky.), 81, 1053
v. Des Moines, 40 Ia. 638, 1804
v. Hart, 118 Mass. 201, 1464, 1533
v. Illinois Cent. R. Co., 22 Ill. App. 643, 364, 1610, 1615
v. Kansas Pac. R. Co., 63 Mo. 314, 1512, 1514
v. Louisville, &c., R. Co., 5 Interst. Com. R. 193, 1684
v. Minnesota, &c., R. Co., 1 Black, U. S. 358, 38, 59, 793, 797
v. Nixon, 97 Ind. 97, 1521
v. Norfolk, &c., R. Co., 130 N. Car. 375, 1049f, 1057g
v. Railroad Co., 1 Black (U. S.), 358, 38, 793, 797
v. Railroad Co., 3 Interst. Com. Com. R. 186, 200
v. Rock Island, &c., R. Co., 21 Ill. 93, 45
v. St. Paul, &c., R. Co., 24 Minn. 464, 514, 538, 540, 545, 546, 549
v. Western, &c., R. Co., 2 Int. Com. 319, 1684g
v. Western, &c., R. Co., 3 Interst. Com. R. 162, 1478, 1678, 1680
Rice Co. v. Bank, 23 Minn. 280, 741a
Rich v. Chicago, 59 Ill. 286, 983, 1013
v. Chicago, &c., Co., 149 Fed. 79, 1151
v. Mentz Township, 134 U. S. 632, 822, 858, 896, 902
v. New York, &c., R. Co., 87 N. Y. 382, 1267
v. Seneca Falls, 8 Fed. R. 852, 486
v. State Nat. Bank, 7 Neb. 201, 110
Richards v. Attleborough, &c., Bank, 148 Mass. 187, 241
v. Brice, 3 N. Y. Supp. 941, 186
v. Buffalo, &c., R. Co., 137 Pa. St. 524, 940
v. Chesapeake, &c., R. Co., 1 Hughes (U. S.), 28, 509, 512
v. Des Moines Valley R. Co., 18 Iowa, 259, 1025, 1048, 1050
v. Doe, 100 Mass. 524, 1420
v. Gilbert, 5 Day (Conn.), 415, 1466
v. Holmes, 18 How. (U. S.) 143, 505, 507
v. London, &c., R. Co., 7 C. B. 839, 1392, 1393, 1517, 1654, 1659
v. May, 10 Q. B. D. 400, 1060
v. Merrimack, &c., Co., 44 N. H. 127, 67, 70, 342, 493
v. Michigan, &c., R. Co., 20 Ill. 404, 1464
v. Natural Gas Co., 130 Pa. St. 37, 1824
v. New York, &c., R. Co., 77 Conn. 501, 976
v. Osceola, 79 Iowa, 707, 283
v. Oshkosh, 81 Wis. 226, 1177
v. People, 81 Ill. 551, 564, 575
v. Rough, 53 Mich. 212, 1295
v. Westcott, 2 Bosw. (N. Y.) 589, 1401
Richardson v. Atlantic Coast Line R. Co., 71 S. Car. 444, 1823
v. Burlington, &c., R. Co., 8 Iowa, 260, 24, 621
v. Canadian Pac. R. Co., 19 Ont. R. 369, 1519
v. Carbon Hill Coal Co., 6 Wash. 52, 1389
v. Chicago, &c., R. Co., 131 Cal. xviii, 89
v. Chicago, &c., R. Co., 56 Wis. 347, 1200, 1209
v. Chicago, &c., R. Co., 61 Wis. 596, 1466, 1476, 1551, 1691
v. Chicago, &c., R. Co., 149 Mo. 311, 1512
v. Cooper, 88 Ill. 270, 1307
v. Goddard, 23 How. (U. S.) 28, 1520, 1522, 1527
v. Great Eastern, &c., R. Co., L. R. 10 C. P. 486, 1584
v. Green, 133 U. S. 30, 89, 90, 275, 276, 600, 604
v. Kimball, 28 Me. 463, 231
v. Laurence County, 154 U. S. 536, 909
v. Louisville, &c., R. Co., 85 Ala. 559, 1650a, 1660
v. Massachusetts, &c., Assn., 131 Mass. 174, 21
v. Mellish, 2 Bing. 229, 383
v. New York, &c., R. Co., 133 N. Y. 563, 1155
v. New York, &c., R. Co., 45 N. Y. 846, 1156, 1161, 1165
v. New York, &c., R. Co., 98 Mass. 85, 1366, 1373
v. Northeastern R. Co., L. R. 7 C. P. 75, 1550
v. Richardson, 75 Me. 570, 307
v. Rogers, 45 Mich. 591, 602
v. Sibley, 11 Allen 65, 67, 70, 72, 488
v. Smith, 33 Ga. (Lester's Sup.) 95, 1426

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Richardson v. The Charles P. Chouteau, 37 Fed. R. 532, 1441, 1445
v. Vermont, &c., R. Co., 44 Vt. 613, 27, 86, 314, 316, 339
v. Vermont, &c., R. Co., 25 Vt. 465, 976, 977, 1057
v. Ward, 6 Mad. 266, 586
v. Wilmington, &c., R. Co., 8 Rich. (Law) 120, 1172
v. Young, 38 Pa. St. 169, 1563
Richardson & Co. v. Rowntree, (1894) App. Cas. 217, 1661
Richberger v. American Express Co. (Miss.) 31 L. R. A. 390, 1638
Riche v. Ashbury R. Car Co., L. R. 9 Ex. 224, 341
v. Bar Harbor Water Co., 75 Me. 91, 952
Richeson v. People, 115 Ill. 450, 842, 908
Richfield v. Michigan Cent. R. Co., 110 Mich. 406, 1173
Richland v. People, 3 Brad. (Ill.) 210, 843, 850
Richmond v. Chicago, &c., R. Co., 87 Mich. 374, 1157, 1179a
v. Daniel, 14 Gratt. (Va.) 385, 782
v. Davis, 103 Ind. 449, 343
v. Irons, 121 U. S. 27, 178, 187, 189
v. Jones, 92 Ala. 218, 1277
v. New York, &c., R. Co., 26 R. I. 225, 1236
v. Richmond, &c., R. Co., 21 Gratt. (Va.) 604, 389, 746, 747
v. Union Steamboat Co., 87 N. Y. 240, 1522
v. Southern Tel. Co., 174 U. S. 761, 1663
Richmond City R. Co. v. Scott, 86 Va. 902, 1096ct, 1757
Richmond Factory Assn. v. Clarke, 61 Me. 351, 175
Richmond Locomotive, &c., Works v. Ford, 94 Va. 627, 1796
Richmond Passenger, &c., Co. v. Robinson, 100 Va. 394, 1774
Richmond R. Co. v. Jones, 92 Ala. 218, 1378c
Richmond R., &c., Co. v. Hudgins, 100 Va. 409, 1096cn
v. Garthright, 92 Va. 627, 1096ce, 1096cd
Richmond Trac. Co. v. Clarke, 101 Va. 382, 1096ch
Richmond, &c., R. Co. v. Alamance, 84 N. Car. 504, 738, 743b
v. Allen, 103 Va. 532, 1096ch
v. Allison, 86 Ga. 145, 1812
v. Ashby, 79 Va. 130, 1593
v. Benson, 86 Ga. 203, 1454, 1457, 1463
v. Bivens, 103 Ala. 142, 1343
v. Burnett, 88 Va. 538, 1318
v. Buice, 88 Ga. 180, 1207
v. Burnsed, 70 Miss. 437, 1255
v. Chamblin, 100 Va. 401, 994, 996
v. Chandler (Miss.), 13 So. R. 267, 1218
v. Childress, 82 Ga. 719, 1699
v. Dudley, 90 Va. 304, 1282
v. Durham, &c., R. Co., 104 N. Car. 658, 453, 949, 1056b, 1117, 1119
v. Elliott, 149 U. S. 266, 1278, 1299, 1812
v. Findley, 32 Fed. R. 641, 647
Richmond, &c., R. Co. v. Finley, 63 Fed. R. 228, 1282
v. Free, 97 Ala. 231, 1282
v. Greenwood, 99 Ala. 501, 1635
v. Hammond, 93 Ala. 181, 1351, 1354, 1356
v. Howard, 79 Ga. 44, 1850
v. Jefferson, 32 Am. St. R. 87, 1638
v. Jefferson, 89 Ga. 554, 1591a, 1639
v. Johnson, 99 Va. 282, 1053
v. Johnston, 103 Va. 456, 966, 975a
v. Johnston, 89 Ga. 560, 1368
v. Jones, 92 Ala. 218, 1274, 1282, 1381
v. Kasey, 30 Gratt. (Va.) 218, 232
v. Louisa R. Co., 13 How. 71, 32, 33, 38, 39, 74, 922, 968
v. Medly, 75 Va. 499, 1226, 1238
v. Mitchell, 92 Ga. 77, 1296, 1365
v. Morris, 31 Gratt. (Va.) 200, 1643
v. Norment, 84 Va. 167, 1288, 1815
v. Patterson Tobacco Co., 92 Va. 670, 1438, 1500, 1670
v. Patterson, &c., Co., 169 U. S. 311, 1670
v. Payne, 86 Va. 481, 1504, 1510
v. Pickleseimer, 85 Va. 798, 1609, 1628
v. Powers, 149 U. S. 43, 1628, 1702
v. Richardson, 23 Ky. L. 2234, 1502a
v. Richmond, 96 U. S. 521, 1080, 1082, 1096p
v. Richmond, &c., Co., 68 Fed. 105, 332
v. Richmond, 26 Gratt. (Va.) 96, 1096r
v. Richmond, &c., R. Co., 96 Va. 670, 1689h
v. Rogers, 1 Duvall 135, 32, 995
v. Rush, 71 Miss. 987, 1282, 1314
v. Scott, 88 Va. 958, 1633, 1636, 1696
v. Seaboard, &c., R. Co., 103 Va. 399, 991a
v. Shomo, 90 Ga. 496, 1415, 1417, 1424, 1438
v. Smith, 92 Ala. 237, 1628, 1642a
v. Snead, 19 Gratt. (Va.) 354, 480
v. Thomason, 99 Ala. 471, 1282, 1314, 1357
v. Thouron, 134 U. S. 45, 655
v. Trammel, 53 Fed. 196, 686, 688
v. Trousdale, 99 Ala. 389, 1548a, 1553, 1555, 1743
v. Vance, 93 Ala. 144, 1801
v. Watts, 92 Ga. 88, 1258
v. White, 88 Ga. 805, 1455, 1457, 1527
v. Wicker, 13 Gratt. (Va.) 375, 924
v. Worley, 92 Ga. 84, 1292, 1296
v. Yeamans, 86 Va. 860, 1159, 1689g
Richmond, &c., Co. v. City of Lynchburg, 81 Va. 473, 781
v. Gordon, 102 Va. 498, 1096cq
v. Middletown, 59 N. Y. 228, 1096u
v. Richmond, &c., R. Co., 6 8 Fed. 105, 324, 1061, 1068, 1071
Richmondville Mfg. Co. v. Prall, 9 Conn. 487, 98
Richter v. Cicero, &c., St. R. Co., 70 Ill. App. 196, 1096cn

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Richter v. Frank, 41 Fed. 859, 92
v. Harper, 95 Mich. 221, 1698
v. Jerome, 123 U. S. 233, 508, 529
v. McGary, 117 Ind. 132, 1414
v. Pennsylvania Co., 104 Pa. St. 511, 4, 1344
Ricker v. Central R. Co., 64 Atl. 1068, 1318a, 1322
v. Fairbanks, 40 Me. 43, 1062
v. Kelly, 1 Me. 117, 949
v. Larkin, 27 Ill. App. 625, 36
Rickerson R. M. Co. v. Grand Rapids, &c., R. Co., 67 Mich. 110, 1435, 1438, 1449
Rickerson, &c., Co. v. Farrell, &c., Co., 75 Fed. 554, 604
Ricket v. Metropolitan R. Co., 5 Best & S. 149, 996
Rickets v. Metropolitan R. Co., 34 L. J. Q. B. 257, 978
Ricketts v. Baltimore, &c., Railroad, 4 Lans. 446, 1445
v. Birmingham, &c., Ry. Co., 85 Ala. 600, 473
v. Chesapeake, &c., R. Co., 33 W. Va. 433, 359, 430, 431, 473, 474, 1638, 1802
v. Spraker, 77 Ind. 371, 751, 871, 872
Ricks v. Broyles, 78 Ga. 610, 576
Ricord, Ex parte, 11 Nev. 287, 734
Ricord v. Central Pac. R. Co., 15 Nev. 167, 253, 297
Ridell v. New York Cent. R. Co., 73 N. Y. 618, 1241
Ridemore v. Wabash, &c., R. Co., 81 Mo. 227, 1200
Ridenhour v. Kansas City, &c., R. Co., 102 Mo. 270, 1261, 1815
Rideout v. Winnebago Traction Co., 123 Wis. 297, 1689d, 1762
Rider v. Burlington, &c., R. Co., 14 Neb. 120, 797
v. Morrison, 54 Md. 429, 92, 176
v. Stryker, 63 N. Y. 136, 1007
v. Wabash, &c., R. Co., 14 Mo. App. 529, 1651, 1653
Rider Life Raft Co. v. Roach, 97 N. Y. 378, 340
Ridge v. Pennsylvania R. Co., 58 N. J. Eq. 176, 954
v. Pennsylvania R. Co., 58 N. J. Eq. 172, 1057j
Ridgefield, &c., R. Co. v. Brush, 43 Conn. 86, 112, 115
v. Reynolds, 46 Conn. 375, 115
Ridgway v. Farmers' Bank, 12 S. & R. 256, 251, 258
Ridgway Township v. Griswold, 1 McCrary (U. S.), 151, 327
Ridley v. Seaboard, &c., R. Co., 124 N. Car. 37, 1036b
Ridpath v. Spokane Co. 23 Wash. 436, 744
Rieber v. Butler, &c., R. Co., 201 Pa. St. 49, 994
Riedinger v. Marquette, &c., R. Co., 62 Mich. 29, 630
Rietveld v. Wabash R. Co., 129 Ia. 249, 1850
Rigby v. Great Western R. Co., 4 Eng. R. & Canal Cas. 190, 363
v. Great Western, &c., R. Co., 14 M. & W. 811, 668
Riggs v. Commercial Mut. Ins. Co., 125 N. Y. 7, 168
Riggs v. Commercial, &c., Ins. Co., 19 J. & S. (N. Y. Super. Ct.) 466, 168
v. Johnson County, 6 Wall. 166, 840, 918
v. Palmer, (N. Y.) 5 L. R. A. 340, 1358d
v. Pennsylvania, &c., R. R. Co., 16 Fed. R. 804, 484
v. St. Francois, &c., R. Co. (Mo. App.) 96 S. W. 707, 1096bn
Right v. Wrightsville, &c., R. Co., 56 S. E. 363, 1527
Rigney v. City of Chicago, 102 Ill. 64, 976, 978, 981, 1085, 1086, 1091
Rike v. Floyd, 42 Fed. R. 247, 651
Riker v. Alsop, 27 Fed. 251, 533, 534
Rikhoff v. Browns, &c., Co., 68 Ind. 388, 102, 144
Riley v. Charleston Union Station Co., 71 S. Car. 457, 952a, 954, 970
v. Charleston Union Station Co., 67 S. Car. 84, 1049a
v. Chicago, &c., R. Co., 71 Mich. 425, 1228
v. Connecticut R. Co., 135 Mass. 292, 1271, 1369, 1701
v. Galveston City R. Co., 13 Tex. Civ. App. 247, 1096bw, 1334, 1338
v. Horne, 1 C. & P. 610, 1406
v. Horne, 5 Bing. 217, 1455, 1466
v. Louisville, &c., R. Co., 133 Fed. 904, 1301a
v. New York, &c., R. Co., 34 Hun, 97, 303, 1437
v. Salt Lake, &c., R. Co., 10 Utah, 428, 1095, 1155
v. Shreveport, &c., Traction Co., 114 La. Ann. 135, 1096br
v. State, 95 Ind. 446, 730
v. State Line, &c., Co., 29 La. Ann. 791, 1307
v. Welles, 154 U. S. 578, 789
v. West Va., &c., R. Co., 27 W. Va. 145, 1316
Rimback v. Essex Co. Park, Com'rs., 62 N. J. L. 494, 1003b
Rindge v. Sargent, 64 N. H. 294, 1057f
Rine v. Chicago, &c., R. Co., 100 Mo. 228, 1351
Rinear v. Grand Rapids, &c., R. Co., 70 Mich. 620, 1183, 1194, 1220
Rines v. Portland, 93 Me. 227, 1053
Ring v. Missouri, &c., R. Co., 112 Mo. 220, 1290
Ringgold v. Haven, 1 Cal. 108, 1695, 1758, 1734
Ringle v. Pennsylvania Co., 164 Pa. St. 529, 1384
Ringo v. Biscoe, 13 Ark. 563, 603
Ringwalt v. Wabash, &c., R. Co., 45 Neb. 760, 1442, 1651, 1653, 1658, 1660
Rintoul v. New York, &c., R. Co., 17 Fed. R. 905, 1509
Rio Grande, &c., R. Co. v. Brownsville, 45 Tex. 88, 41, 630, 927a, 1096
v. Burns, 82 Tex. 50, 78, 92, 98
v. Cross, 5 Tex. Civ. App. 454, 1505
v. Ortiz, 75 Tex. 602, 526, 1048, 1052
v. Rubenstein, 5 Colo. App. 121, 1808
v. Telluride, &c., Co., 16 Utah, 125, 28, 335a
v. Vaughn, 3 Colo. App. 465, 1220

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ripley v. New Jersey, &c., Co., 31 N. J. L. 388, 200, 1594, 1600
Rippe v. Becker, 56 Minn. 100, 672
v. Chicago, &c., R. Co., 23 Minn. 18, 1028
v. Chicago, &c., R. Co., 42 Minn. 34, 1193, 1195
Rippstein v. Haynes, &c., R. Co., 85 S. W. 314, 617
Rische v. Texas Tranp. Co., 27 Tex. Civ. App. 33, 6, 1087, 1096be
Rising Sun, &c., Co. v. Hamilton, 50 Ind. 580, 1029
Risinger v. Southern R. Co., 59 S. Car. 429, 1151a
Risk v. Kansas, &c., Co., 58 Fed. R. 45, 563
Riska v. Union Depot, &c., R. Co., 180 Mo. 168, 1096cf
Risley v. Indianapolis, &c., R. Co., 1 Hun (N. Y.), 202, 213, 220, 283, 285, 1058
v. Village of Howell, 57 Fed. 544, 888
v. Welles, 5 Conn. 431, 626
Rissler v. St. Louis Transit Co., 113 Mo. App. 120, 1096bq
Ristine v. Blocker, 15 Colo. App. 224, 1802
Ritchie v. Caledonian R. Co., 7 Scotch Sess. Cas. (4th series) 148, 1161
v. McMullen, 79 Fed. 522, 13, 275
v. People, 155 Ill. 98, 1336
v. Waller, 27 L. R. A. 161, 213
v. Waller, 63 Conn. 155, 214
Rittenhouse v. Wilmington St. R. Co., 120 N. Car. 544, 1332, 1315h
Ritter v. Stevenson, 7 Cal. 388, 1073
Ritz v. Pennsylvania R. Co., 8 Phila. (Pa.) 82, 1546
River Dun, &c., Co. v. North Midland R. Co., 1 Eng. Ry. & Canal Cas. 135, 376
Rivers v. Kansas City, &c., R. Co., 86 Miss. 571, 1601
v. Mulholland, 62 Miss. 766, 1070
Rives v. Dudley, 3 Jones Eq. (N. C.) 126, 400
v. Montgomery South Plank R. Co., 30 Ala. 92, 128, 135, 374
Rixford v. Smith, 52 N. H. 355, 1481
Roach v. Canadian Pac. R. Co., 1 Manitoba, 158, 1442
v. Western, &c., R. Co., 93 Ga. 785, 1178
v. St. Joseph, &c., R. Co., 55 Kan. 654, 1151
Road, In re, 90 Pa. St. 190, 1018
Road, &c., In re, 109 Pa. St. 118, 1019
Road, &c., In re, 114 Pa. St. 627, 1020
Road, &c., In re, 103 Pa. St. 250, 1043
Roanoke City v. Berkowitz, 80 Va. 616, 952, 970, 972
Roanoke Investment Co. v. Kansas City, &c., R. Co., 108 Mo. 50, 931, 939
Robarge v. Central Vt. R. Co., 18 Abb. N. Cas. (N. Y.) 363, 625
Robb v. Carnegie Bros. & Co., 145 Pa. St. 324, 631
v. Maysville, &c., R. Co., 3 Met. (Ky.) 117, 995
Robins v. Chicago City, 4 Wall. (U. S.) 657, 1063, 1064
v. Fitchburg, &c., R. Co., 161 Mass. 145, 1171
v. Jones, 15 Com. B. (N. S.) 221, 1263
Robins v. Milwaukee, &c., R. Co., 6 Wis. 636, 814, 988, 992, 995, 1030
v. Omnibus R. Co., 32 Cal. 472, 1092, 1096am
v. St. Paul, &c., R. Co., 24 Minn. 191, 1033, 1046a
v. Shelby County Taxing District, 120 U. S. 489, 658, 759, 1664, 1671
v. Springfield St. R. Co., 165 Mass. 30, 1096bc, 1096cb, 1096bq, 1096de
Robel v. Chicago, &c., R. Co., 35 Minn. 84, 1271, 1378
Robert v. Indianapolis St. R. Co., 158 Ind. 634, 1301a
v. Pineland Club, 139 Fed. 1001, 656a
v. Sadler, 104 N. Y. 229, 972, 1085
Robert C. White & Co. v. Chicago, &c., R. Co., 87 Mo. App. 330, 1426
Robert Holland, The, 59 Fed. 200, 1361
Roberts' Appeal, 85 Pa. St. 84, 96, 97
Roberts v. Bolles, 101 U. S. 119, 836, 873
v. Boston, &c., R. Co., 68 N. H. 354, 1179i
v. Button, 14 Vt. 195, 256
v. Chicago, &c., R. Co., 45 Fed. 433, 654
v. Chicago, &c., R. Co., 35 Wis. 679, 1096an
v. Chicago, &c., R. Co., 94 S. W. 838, 1200
v. Chicago, &c., R. Co., 33 Minn. 218, 1276, 1333a
v. Chicago, &c., R. Co., 35 Wis. 679, 719, 1105, 1112
v. Chittenden, 88 N. Y. 33, 1726
v. Commissioners, 21 Kan. 247, 989
v. Easton, 19 Ohio St. 78, 1096j
v. Glass, 112 Ga. 456, 1062
v. Graham, 6 Wall. 578, 1691
v. Great Western R. Co., 4 C. B. N. S. 506, 1552
v. Koehler, 30 Fed. 94, 1593, 1595, 1662
v. Lane, 64 Me. 108, 381
v. Missouri, &c., R. Co., 43 Kan. 102, 18, 34
v. Missouri, &c., Co., 166 Mo. 370, 1288a
v. Mobile, &c., R. Co., 32 Miss. 373, 133
v. New York, &c., R. Co., 128 N. Y. 455, 1038
v. Northern Pacific, &c., R. Co., 158 U. S. 1, 413, 629, 672, 673, 806, 814, 841, 949, 1000, 1002, 1008, 1096
v. Preston, 9 C. B. N. S. 206, 730
v. Railroad Co. 158 U. S. 1, 1049
v. Richmond, &c., R. Co., 88 N. N. Car. 560, 1209, 1213, 1218
v. Riley, 15 La. Ann. 103, 1417, 1498, 1503
v. Roberts Wick Co., 184 N. Y. 257, 83
v. Spokane St. R. Co., 23 Wash. 325, 1096cd
v. Terre Haute, &c., Co., Ind. App. 76 N. E. 323, 1096bf, 1096bl, 1096bk, 1096bt
v. Turner, 12 Johns. (N. Y.) 232, 1401a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Roberts v. West Jersey, &c., R. Co., 65 Atl. 460, 1049a
v. Williams, 15 Ark. 43, 1001
v. Williams, 13 Ark. 355, 1034
Robertson v. Boston, &c., R. Co., 160 Mass. 191, 1320
v. Boston, &c., R. Co., 190 Mass. 108, 1578a
v. Chicago, &c., R. Co., 146 Ind. 486, 1318a
v. Cornelson, 34 Fed. 716, 1282
v. Ford, 164 Ind. 538, 1313
v. Kennedy, 2 Dana 430, 1454
v. Knapp, 35 N. Y. 91, 1037
v. Louisville, &c., R. Co., 142 Ala. 216, 1845
v. March, 4 Ill. 198, 105
v. Midland, &c., R. Co., 2 Nev. & Mac. 409, 1678
v. New York, &c., R. Co., 22 Barb. (N. Y.) 91, 200, 1581, 1632
v. Old Colony, &c., R. Co., 156 Mass. 525, 1396, 1625a, 1645
v. Railroad Co., 84 Mo. 119, 1096ag
v. Rockford, 21 Ill. 451, 818
v. Scottish, &c., Ins. Co., 68 Fed. R. 173, 649
v. Steamship Co., 139 N. Y. 416, 1515
v. Terre Haute, &c., R. Co., 78 Ind. 77, 1322
v. Texas, &c., R. Co., 79 S. W. 96, 1804, 1806
v. Van Cleave, 129 Ind. 217, 1003
v. Wabash R. Co., 152 Mo. 382, 1839
v. Youghiogheny, &c., Co., 172 Pa. St. 566, 946a
Robins, Ex parte, 7 Dowl. 566, 1466
Robins, Ex parte, 3 Jur. 103, 640, 1690
Robinson v. Alabama, &c., Co., 48 Fed. R. 12, 506, 508
v. Atlantic, &c., Co., 66 Pa. St. 160, 563, 565
v. Baker, 5 Cush. (Mass.) 137, 1451, 1570
v. Bidwell, 22 Cal. 379, 186
v. Butte County, 43 Cal. 353, 918
v. Campbell, 3 Wheat, 212, 1663
v. Charles Wright Co., 94 Mich. 283, 1299
v. Chicago, &c., R. Co., 135 Mich. 254, 1589a, 1618
v. Cone, 22 Vt. 213, 1262
v. Dunmore, 2 B. & P. 416, 1534
v. Exempt Co., 103 Cal. 1, 1689l
v. Fitchburg, &c., R. Co., 7 Gray (Mass.), 92, 1243a
v. Flint, &c., Co., 79 Mich. 323, 1180, 1209
v. Georgia R. &c., Co. 117 Ga. 168, 1368
v. Grand Trunk, &c., R. Co., 52 Mich. 322, 1185
v. Great Northern, &c., R. Co., 48 Minn. 445, 1113
v. Great Western R. Co., 35 L. J. Com. P. 123, 1505
v. Hadley, 11 Brev. 614, 551
v. Houston, &c., R. Co., 46 Tex. 540, 1316
v. Iron R. Co., 135 U. S. 522, 508, 529
v. Louisville, &c., R. Co., 2 Lea (Tenn.), 594, 1593
v. Memphis, &c., R. Co., 16 Fed. 57, 1461, 1544
v. Memphis, &c., R. Co., 9 Fed. R. 129, 1692
Robinson v. Merchants' D. Co., 45 Iowa, 470, 1401, 1417, 1424, 1435, 1440, 1449, 1490, 1502, 1507, 1515
v. Miner, 68 Mich. 549, 666
v. Missisquoi R. Co., 59 Vt. 426, 419
v. Nat. Bank, 95 N. Y. 637, 98, 306
v. New York, &c., R. Co., 27 Barb. (N. Y.) 512, 976, 977
v. New York, &c., R. Co., 66 N. Y. 11, 1174, 1635
v. New York, &c., R. Co., 20 Blatch. 338, 1587, 1644
v. Oregon, &c., R. Co., 7 Utah, 493, 1260
v. Pennsylvania R. Co., 161 Pa. St. 561, 1035a
v. Philadelphia, &c., R. Co., 28 Fed. R. 340, 521, 533, 536
v. Pittsburg, &c., R. Co., 32 Pa. St. 334, 112, 127
v. Pittsburg R. Co., 57 Cal. 417, 1049, 1055
v. Rockland, &c., St. R. R. Co., 99 Me. 47, 1096cj, 1161
v. Rockland, &c., R. Co., 87 Me. 387, 1637
v. St. Johnsbury, &c., R. Co., 66 Atl. 814, 1775
v. Schenck, 102 Ind. 307, 821
v. Smith, 3 Paige, 222, 274
v. Southern Pac. R. Co., 105 Cal. 541 1595
v. Superior Rapid Transit R. Co., 94 Wis. 345, 1689l
v. Taylor, 42 Fed. 803, 561
v. Thrailkill, 110 Ind. 117 632
v. United States, &c., Society, 132 Mich. 695, 1589a
v. Western, &c., R. Co., 48 Cal. 409, 1153, 1156, 1159, 1162
v. West Va., &c., R. Co., (W. Va.) 21 S. E. 727, 1297, 1314
v. Williams, 22 N. Y. 380, 510
v. Wilmington, 65 Fed. 856, 751, 752, 872
v. Hardy, 38 Fed. 49, 651
v. Stuart, 68 Me. 61, 1428
v. McCracken, 52 Fed. 726, 1058
Roblin v. Kansas City, &c., R. Co., 119 Mo. 476, 1779
Robostelli v. New York, &c., R. Co., 33 Fed. R. 796, 1599
Robson v. Dodd, L. R. 8 Eq. 301, 167
v. New York Cent. R. Co., 21 Hun (N. Y.), 387, 1594
v. Northeastern R. Co., L. R. 10 Q. B. 271, 1628
Roby v. Farmers Grain, &c., Co. (Neb.) 107 N. W. 766. 4
v. New York Railroad Co., 142 N. Y. 176, 931
v. Smith, 131 Ind. 348, 501, 561
Rochat v. North Hudson, &c., R. Co., 49 N. J. L. 445, 1702
Rochdale Co. v. King, 16 Beav. 630, 871
Roche v. Brooklyn City R. Co., 105 N. Y. 294, 1689l
v. Llewellyn, &c., Co., 140 Cal. 563, 1805
v. Waters, 72 Md. 264, 529, 862
Rochester, In re, 136 N. Y. 83, 1003b
Rochester El. R. Co., In re, 123 N. Y. 351, 1096l
Rochester v. Rochester R. Co., 182 N. Y. 99, 746, 747, 748, 1096ah
v. Shaw, 100 Ind. 268, 1704

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Rochester R. Co. v. Robinson, 133 N. Y. 242, 1029a
v. Rochester, 27 Sup. Ct. 469, 63, 330
Rochester Water Commisioners, In re, 66 N. Y. 413, 953, 964
Rochester Waterworks Co. v. Wood, 60 Barb. (N. Y.) 137, 1045
Rochester, &c., R. Co., in re, 45 Hun, 126, 107
Rochester, &c., R. Co., In re, 12 N. Y. Supp. 566, 923
Rochester, &c., R. Co., In re, 59 Hun, 617, 960
Rochester, &c., R. Co., In re, 54 Hun, 634, 1026
Rochester, &c., R. Co., In re, 110 N. Y. 119, 962, 1027
Rochester, &c., R. Co., In re, 123 N. Y. 351, 1081
Rochester, &c., R. Co., v. Babcock, 110 N. Y. 119, 974
v. Beckwith, 10 How. Pr. 168, 1041, 1044
v. Budlong, 6 How. Pr. 467, 1038, 1039
v. Cuyler, 7 Lans. (N. Y.) 431, 126, 887
v. Hartshorn, 26 N. Y. St. 753, 1029a
v. New York, &c., R. Co., 44 Hun (N. Y.), 206, 974
v. New York, &c., R. Co., 110 N. Y. 128, 632, 920, 926, 927
v. Robinson, 133 N. Y. 242, 1096bm
Rochester, &c., Co. v. Rochester, &c., R. Co., 29 Misc. (N. Y.) 222, 590
Rochette v. Chicago, &c., R. Co., 32 Minn. 201, 1086
Rock v. Chicago City R. Co., 173 Ill. 289, 1096cl
v. Indian Orchard Mills, 142 Mass. 522, 1096cp, 1283
v. Retroff Co., 15 N. Y. Supp. 872, 1271, 1296
Rock Creek Township v. St. Joseph, &c., Co., 43 Kan. 543, 1102
Rock Creek v. Strong, 96 U. S. 271, 877, 895a, 898
Rock Island v. Starkey, 189 Ill. 515, 1804
Rock Island, &c., R. Co., v. Dimick, 55 Am. & Eng. R. Cas. 65 629
v. Dimick, 144 Ill. 628, 629, 1147, 1149
v. Johnson, 204 Ill. 488, 1049a, 1088
v. Leisy, &c., Co., 174 Ill. 547, 1041
v. Lynch, 23 Ill. 645, 1017
Rockford City R. Co. v. Blake, 173 Ill. 354, 1096cf
v. Mathews, 50 Ill. App. 267, 1096cc
Rockford Co. v. Coultas, 67 Ill. 398, 1628c
Rockford, &c., Co. v. Connell, 67 Ill. 216, 1181, 1214
Rockford, &c. R. Co., v. Coultas, 67 Ill. 398, 1629, 1630
v. Heflin, 65 Ill. 366, 1063
v. Hillmer, 72 Ill. 235, 1153, 1160, 1792
v. Irish, 72 Ill. 404, 1180, 1209
v. Linn, 67 Ill. 109, 1206
v. Lynch, 67 Ill. 149, 1214
v. McKinley, 64 Ill. 338, 993, 1018, 1038
v. Rafferty, 73 Ill. 58, 1205
v. Rogers, 62 Ill. 346, 688, 1226
v. Sage, 65 Ill. 328, 14
Rockford, &c., R. Co. v. Shunick, 65 Ill. 223, 937
v. Wells, 66 Ill. 321, 1063
Rockingham v. Portsmouth, 52 N. H. 17, 752
Rockingham, &c., Co. v. Bosher, 39 Me. 253, 1233, 1234
Rockland, &c. Co. v. Sewell, 80 Me. 400, 111a
v. Sewall, 78 Me. 167, 111a, 616
Rockland Water Co. v. Camden & R. Water Co., 80 Me. 544, 38
v. Tillson, 69 Me. 255, 937
Rock River Bank v. Sherwood, 10 Wis. 230, 372
Rockville, &c., Co. v. Van Ness, 2 Cranch C. C. (U. S.) 449, 102, 108, 244
Rockwell v. Eldred, 7 Pa. Super Ct. 95, 1819
v. State, 11 Ohio, 130, 712
v. Third Ave. R. Co., 64 Barb (N. Y.), 438, 1808, 1815
Rockwood v. Allen, 7 Mass. 254, 1798
Rocky Mt. Mills v. Wilmington, &c., R. Co., 119 N. C. 693, 354, 1444
Rocky Mt. Nat. Bk. v. Bliss, 88 N. Y. 338, 179
Rodbourn v. Utica, &c., R. Co., 28 Hun, 369, 73
Roddy v. Missouri, &c., R. Co., 104 Mo. 234, 1313
Rodemacker v. Milwaukee, &c., R. Co., 41 Iowa, 297, 44, 996, 1096o, 1222, 1223
Roden v. Chicago, &c., R. Co., 133 Ill. 72, 1257
Roderick v. Railroad Co., 7 W. Va. 54, 1493, 1549, 1550
Roderigas v. East River, &c., 76 N. Y. 316, 865
Rodgers v. Baltimore, &c., R. Co., 150 Ind. 397, 1264
v. Central, &c., R. Co., 67 Cal. 607, 1297, 1457a
v. Choctaw, &c., R. Co., 76 Ark. 520, 1629
v. Missouri Pac. R. Co., 88 Pac. 885, 1457a
v. Railroad Co., 89 Ark. 468, 1582
v. Wells, 44 Mich. 411, 145, 323
Rodney v. St. Louis, &c., R. Co., 127 Mo. 676, 1278
Rodocanachi v. Milburn, 18 Q. B. Div. 67, 1728
Rodrian v. New York, &c., R. Co., 7 N. Y. Supp. 811, 1153
v. New York, &c., R. Co., 125 N. Y. 526, 1164, 1701
Rodriguez v. International, &c., R. Co., 27 Tex. Civ. App. 325, 1169
Roe v. Birkenhead, &c., R. 7 Eng. L. & Eq. 546, 198
v. Winston, 86 Minn. 77, 1
Roebling v. Trenton Pass R. Co., 58 N. J. L. 666, 1096c
Roesner v. Hermann, 8 Fed. 782, 1376, 1378c, 1381
Roessler-Hasslacher, &c., Co. v. Doyle, 142 Fed. 118, 656a
Roffignac Street, Application for Widening, 4 Rob. (La.) 357, 1045
Rogan v. Wabash R. Co., 51 Mo. App. 665, 1510
v. Watertown, 30 Wis. 259, 906
Rogers, Ex parte, 7 Cow. 526, 263
Rogers v. Atlantic, &c., R. Co. (N J.) 34 Atl. 11, 1576, 1594, 1600
v. Boston, &c., R. Co., 187 Mass. 217, 1156, 1167

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Rogers v. Burlington, 3 Wall. 654, 816, 839
v. Chicago, &c., R. R. Co., 6 Abb. N. Cas. (N. Y.) 253, 487
v. Cox, 96 Ind. 157, 389
v. Danby Universalist Society, 19 Vt. 187, 18
v. Dexter, &c., R. R. Co., 85 Me. 372, 605, 1065
v. Docks Co., 34 L. J. Eq. 165, 1025
v. Galloway, &c., College, 64 Ark. 627, 126
v. Gilinger, 30 Pa. St. 185, 389
v. Goodwin, 2 Mass. 475, 40
Rogers v. Hastings, &c., R. Co., 22 Minn. 25, 230, 257, 272, 276
v. Head, Cro. Jac. (4 Croke) 262, 1535
v. Jones, 1 Wend. (N. Y.) 237, 193
v. Kennebec, &c., R. Co., 35 Me. 319, 718, 980a
v. Kennebec Steamboat Co., 86 Me. 261, 1579, 1607, 1608, 1645
v. Keokuk, 154 U. S. 546, 814, 843
v. Leyden, 127 Ind. 50, 1163, 1314
v. Long Island, &c., R. Co., 2 Lans. 269, 1406
v. Long Island, &c., R. Co., 1 T. & C. (N. Y.) 396, 1651, 1653
v. Louisville, &c., R. Co., 88 Fed. Fed. 462, 1296, 1689d
v. Louisville, &c., R. Co., 15 Ky. L. 686, 1795
v. Ludlow Manufacturing Co., 144 Mass. 198, 1276
v. Mobile, &c., R. Co., (Tenn.) 12 Am. & Eng. R. Cas. 442, 571, 576, 577
v. Nashville, &c., R. Co., 91 Fed. 299, 37, 159, 439, 440, 490, 521
v. Newburyport, &c., R. Co., 1 Allen, 16, 1209
v. Omaha, &c., Co., 4 Neb. 54, 1073
v. Pell, 35 N. Y. Sup. 17, 602
v. Philadelphia, &c., Co., 182 Pa. St. 473, 1056a
v. Port Huron, &c., R. Co., 45 Mich. 460, 794, 797, 806
v. Rhymney R. Co., 26 L. T. R. (N. S.) 879, 1628
v. Rogers, 3 Paige 379, 1003
v. Schneider, 13 Ind. App. 23, 1543
v. Smith, 17 Ind. 323, 1822
v. State, 90 Ga. 463, 734
v. Stephens, 86 N. Y. 623, 894
v. Texas, &c., R. Co., 94 S. W. 158, 1555, 1746
v. Wheeler, 43 N. Y. 598, 514, 535
v. Wheeler, 2 Lans. 486, 1393
v. Wheeler, 52 N. Y. 262, 1463, 1490
v. Zook, 86 Ind. 237, 1376
Rogers Locomotive, &c., Works v. Erie R. Co., 20 N. J. Eq. 379, 519, 635, 636, 1393, 1465, 1564
Rogers, &c., Co. v. Hand, 21 Vroom (N. J.), 464, 1321
v. Simmons, 155 Mass. 259, 30
Rogers, &c., Works v. Southern R. R. Assn. 34 Fed. 278, 481
Rogsdale v. Southern, &c., R. Co., 119 Ga. 627, 1480
Rogstad v. St. Paul R. Co., 31 Minn. 208, 1179b
Rohig v. Chicago, &c., 130 Ia. 380, 724
Rohloff v. Fair Haven, &c., R. Co., 76 Conn. 689, 1261
Rohrbacher v. Woodward, 124 Mich. 125, 1314
Rohrer, In re, 140 U. S. 545, 667
Rohwer v. Chadwick, 7 Utah 385, 1798
Roland El. R. Co. v. Baltimore, 77 Md. 352, 1096j
Roland v. Centreville, &c., R. Co., 61 Iowa 380, 1070, 1071
Rolette v. Great Northern R. Co., 91 Minn. 16, 1630
Rolfe v. Boston, &c., R. Co., 69 N. H. 476, 1247a
Rolfs v. Atchison R. Co., 66 Kan. 272, 1594a
Rolke v. Chicago, &c., R. Co., 26 Wis. 537, 1232
Rolland v. Hart, L. R. 6 Ch. App. 678, 226
Rolling Mills Co. v. Hullinger, 161 Ind. 673, 1334
Rollin v. Cross, 45 N. Y. 766 1073
Rollins v. Atlantic City R. Co., 62 Atl. 929, 1689l
v. Chicago, &c., R. Co., 139 Fed. 639, 1163, 1165, 1179, 1179b, 1703
v. Clay, 33 Me. 132, 67, 252, 606, 1096ad
v. Riley, 44 N. H. 9, 942
v. Shaver, Wagon & C. Co., 80 Iowa, 380, 265, 274, 603
Rolseth v. Smith, 38 Minn. 14, 1689c
Roman v. Woolfolk, 98 Ala. 219, 166, 550
Romano v. Capital, &c., Co., 125 Ia. 591, 1366a
Rombach v. Crescent City R. Co., 50 La. Ann. 473, 1778
Rome v. Cabot, 28 Ga. 50, 1096u
v. Perkins, 30 Ga. 154, 1048
Rome Exch. Bank v. Eames, 1 Keyes (N. Y.), 588, 1689d
Rome R. Co. v. Sloane, 39 Ga. 636, 1734, 1738, 1741
v. Sullivan, 14 Ga. 277, 1526
v. Tolbert, 85 Ga. 447, 1258
v. Wimberly, 75 Ga. 316, 1647, 1658
Rome, &c., R. Co., v. Chasteen, 88 Ala. 591, 473, 1063
v. Gleason, 42 App. Div. (N. Y.) 30, 940
v. Sibert, 97 Ala. 393, 528
v. Smith, 84 Ga. 238, 651
Romebaurn v. Mt. Auburn Cable R. Co., 29 Ohio L. J. 338, 1096j
Romeo v. Boston, &c., R. Co., 87 Me. 540, 1166
v. St. Paul, &c., R. Co., 75 Minn. 211, 1057j, 1096d
Romero v. McKennan, 88 N. Y. S. 365, 1450, 1596
Romford Canal, In re, 24 Ch. Div. 85, 491
Romine v. Evansville, &c., R. Co., 24 Ind. App. 230, 1633
Romona, &c., Co. v. Phillips, 11 Ind. App. 118, 1307
Roner v. St. Paul City, &c., Co., 75 Minn. 211, 1076
Roney v. Erie R. Co., 135 Fed. R. 311, 1280
Rood v. New York, &c., R. Co., 18 Barb. (N. Y.) 80, 1241
v. Wharton, 67 Fed. R. 434, 155, 175, 180
Roof v. Railroad Co., 4 S. Car. 61, 1213
Rooney v. New York, &c., R. Co., 173 Mass. 222, 1812
v. Sacremento Valley R. Co., 6 Cal. 638, 1000a, 1003

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Roos v. Philadelphia, &c., Co., 199 Pa. St. 378, 1509
Roosa v. St. Joseph, &c., R. Co., 114 Mo. 508, 16, 34, 35, 1034
Roosevelt v. Draper, 23 N. Y. 318, 751a
v. Goddard, 52 Barb. (N. Y.) 533, 950, 1358d
Roosevelt Hospital v. Mayor, 84 N. Y. 108, 781, 784
v. New York Elev. R. Co., 50 N. Y. St. 456, 1783
Root's Case, 77 Pa. 276, 988
Root v. Alexander, 63 Hun, 557, 713
v. Godard, 3 McLean (U. S. Cir.) 102, 369
v. Great Western R. Co., 45 N. Y. 524, 1393, 1434, 1435, 1439, 1443, 1658
v. Great Western R. Co., 65 Barb. (N. Y.) 619, 1412
v. Great Western R. Co., 30 N. Y. 564, 1451
v. Kansas City, &c., R. Co., 92 S. W. 621, 1296
v. Long Island R. Co., 114 N. Y. 300, 200, 1391, 1467, 1468, 1565, 1680
v. Long Island R. Co., 11 Am. St. R. 643, 1603
v. New York, &c., R. Co., 83 Hun. 111, 1546
v. New York, &c., Co., 28 Mo. App. 199, 1622, 1623, 1624
v. Wallace, 4 McLean (U. S. Cir.), 8, 369
Root, &c. v. Davis, 51 Ohio St. 29, 626
Rooth v. Northeastern R. Co., L. R. 2 Ex. 173, 1505, 1519
Roots v. Williamson, 58 L. T. R. 802, 94
Roper v. McWhorter, 77 Va. 214, 70, 519
Roraback v. Pennsylvania Co., 42 Fed. R. 420, 651
Rorke v. Thomas, 56 N. Y. 559, 600
Rorse v. St. Paul, &c., R. Co., 68 Minn. 216, 1190
Rosa v. Missouri, &c., R. Co., 18 Kan. 124, 1000a, 1025
Rose v. Barclay, 191 Pa. St. 594, 305
v. Boston, &c., R. Co., 58 N. Y. 217, 1281, 1286, 1322
v. Chicago, &c., R. Co., 72 Iowa, 625, 1242
v. DesMoines, &c., R. Co., 39 Iowa, 246, 1376, 1497, 1606, 1608, 1645, 1828
v. Eclipse, &c., Co., 60 Mo. App. 28, 282
v. Louisville, &c., R. Co., 70 Miss. 725, 1837
v. Northern Pac. R. Co., 88 Pac. 767, 1661
v. Page, 2 Sim. 471, 512
v. Railroad Co., 58 N. Y. 217, 1780
v. Railway Co. (Pa.) 12 Atl. 78, 1096cp
v. San Antonio, &c., R. Co., 31 Tex. 49, 122
v. Wilmington, &c., R. Co., 106 N. Car. 168, 1801, 1823
Roseboom v. Whittaker, 132 Ill. 81, 604, 614
Rosekrans v. Lafayette, &c., R. R. Co., 18 Fed. R. 513, 483
Roseman v. Carolina Cent. R. Co., 112 N. Car. 709, 1637
Rosen v. Chicago, &c., R. Co., 83 Fed. 300, 1224, 1245a
Rosen v. Dry Dock, &c., R. Co., 91 N. Y. 333, 1096cz
Rosenbaum v. Bauer, 120 U. S. 450, 646
v. St. Paul, &c., R. Co., 38 Minn. 173, 1604, 1629
Rosenberg v. Brooklyn, &c., R. Co., 91 App. Div. (N. Y.) 580, 1577
v. Clafin Co., 95 Ala. 249, 616
v. Third Ave. R. Co., 47 App. Div. 323, 1096cr, 1096cs
Rosenberger v. Grand Trunk, &c., R. Co., 8 Ont. App. 482, 1264
Rosenblatt v. Johnston, 104 U. S. 462, 606
Rosencranz v. Swoffard, 175 Mo. 518, 1570
Rosenfeld v. Einstein, 46 N. J. L. 479, 172, 271
v. Express Co., 1 Woods (U. S.), 131, 1537
v. Peoria, &c., R. Co., 103 Ind. 121, 1497, 1501, 1502, 1510
Rosenstein v. Missouri Pac. R. Co., 16 Mo. App. 363, 1505
Rosenthal v. Maryland, &c., Co., 61 Md. 590, 1072
v. New York, &c., R. Co., 112 App. Div. (N. Y.) 431, 1250
v. New York, &c., R. Co., 112 App. Div. 438, 1253
v. Railroad Co., 79 Tex. 325, 1049b
v. Weir, 170 N. Y. 148, 1539, 1543a, 1544
Rosevear China Clay Co., Ex Parte, L. R. 11 Ch. Div. 565, 1425
Roskoyek v. St. Paul, &c., R. Co., 76 Minn. 28, 1298a
Rosney v. Erie R. Co., 135 Fed. 311, 1331
Ross v. Boston, &c., R. Co., 6 Allen (Mass.), 87, 1222, 1223, 1238, 1243a
v. Chicago, &c., R. Co., 77 Ill. 127, 45, 422, 935
v. Chicago, &c., R. Co., 119 Mo. App. 290, 1692
v. Crockett, 14 La. Ann. 811, 257
v. Elizabethtown, &c., R. Co., 20 N. J. Law 230, 1025
Ross v. Elizabethtown, &c., R. Co., 2 N. J. Eq. 422, 1048, 1049
v. Great Northern R. Co., 111 N. W. 951, 1806
v. Hill, 2 C. B. 877, 1535
v. Johnson, 5 Burr. 2825, 1535
v. Lafayette, &c., R. Co., 6 Ind. 297, 134, 140
v. McJunkin, 14 Sergt. & R. 364, 810
v. Missouri, &c., R. Co., 4 Mo. App. 582, 1649, 1652
v. Montreal St. R. Co. (Can.) 24 L. C. Jur. 60, 1089
v. North Providence, 10 R. I. 461, 1046a
v. Pearson, &c., Co., 164 Mass. 257, 1309
v. Pennsylvania Co., 17 Phila. 339, 1033
v. Providence, &c., R. Co., 15 R. I. 149, 1163
v. Ross, 25 Ga. 297, 626
v. Southwestern R. R. Co., 53 Ga. 514, 98
v. Texas, &c., R. Co., 44 Fed. 44, 1825
v. Thompson, 78 Ind. 90, 981, 1085
v. Troy, &c., R. Co., 49 Vt. 364, 1492

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Ross v. Union Pac. R. R. Co., 1 Woolw. 26, 642, 936, 1062
v. Walker, 139 Pa. St. 42, 1317
Ross, &c., Co. v. Southern, &c., Co., 72 Fed. R. 957, 38
Rossier v. Wabash R. Co., 115 Mo. App. 515, 1647, 1649
Rost v. Missouri, &c., R. Co., 76 Tex. 168, 1224, 1226
Rotch's Wharf. Co. v. Judd, 108 Mass. 224, 409
Roth v. Buffalo, &c., R. Co., 34 N. Y. 548, 1520, 1528, 1652, 1659
v. Texas, &c., R. Co., 9 I. C. C. 602, 1672
v. Union Depot Co., 13 Wash. 525, 1154
v. Union Depot Co. (Wash.) 43 Pac. 641, 1250
Rothan v. St. Louis, &c., R. Co., 113 Mo. 132, 1052, 1053
Rothe v. Milwaukee, &c., R. Co., 21 Wis. 256, 1153
Rothenberger v. Northwestern, &c., Milling Co., 57 Minn. 461, 1295
Rotherham, &c., Co., Re, 50 L. T. (N. S.) 219, 21
Rothschild v. Grand Trunk R. Co., 14 N. Y. Supp. 807, 617
v. Knight, 176 Mass. 48, 624
v. Michigan, &c., R. Co., 69 Ill. 164, 1464
v. Rio Grande W. Ry. Co., 18 N. Y. Supp. 548, 329
Roudanez v. New Orleans, 29 La. Ann. 271, 872
Rondout, &c., R. Co. v. Deyo, 5 Lans. (N. Y.) 298, 994, 1037, 1039
v. Field, 38 How. (N. Y.) Pr. 187, 1044
Rounds v. Delaware, &c., R. Co., 64 N. Y. 129, 214, 221, 1255, 1265, 1638
Roundtree v. Charleston, &c., R. Co., 72 S. Car. 474, 1814
Rouede v. Mayor, 18 Fed. 719, 484
Rourke v. Colliery Co., 2 C. P. Div. 205, 1338
v. White Moss Colliery Co., L. R. 1 C. P. Div. 556, 1063, 1320
Rouse v. Harry, 55 Kan. 589; 577, 1341
v. Hornsby, 67 Fed. 219, 1341, 1635
v. Ledbetter (Kan.), 43 Pac. 249, 1269
v. Martin, 75 Ala. 510, 631
v. Merchants' Nat Bank, 46 Ohio St. 493, 603
v. Metropolitan St. R. Co., 41 Mo. App. 298, 1802
v. Osborne (Kan. App.), 42 Pac. 843, 1200
Rouser v. North Park St. R. Co., 97 Mich. 565, 1096da
v. Washington, &c., R. Co., 13 App. D. C. 320, 1096cy
Roushlange v. Chicago, &c., R. Co., 115 Ind. 106, 1057, 1057b
Rousillon v. Rousillon, L. R. 14 Ch. Div. 351, 1506
Roux v. Blodgett, &c., Co., 94 Mich, 607, 1318
Rowan v. State, 30 Wis. 129, 1019
Rowdin v. Railroad Co., 203 Pa. St. 623, 1605
Rowe v. Chicago, &c., R. Co., 102 Ia. 286, 1239
v. Pickford, 8 Taunt, 83, 1519
v. St. Paul, &c., R. Co., 41 Minn. 384, 1057f
Rowe v. Southern R. Co., 87 Pac. 220, 1175
v. Wood, 2 Jac. & W. 553, 549
Rowell v. Railroad, 57 N. H. 132, 1223, 1238
Rowen v. N. Y., &c., R. Co., 59 Conn. 364, 1158
Rowitzky v. Louisville, &c., R. Co., 40 La. Ann. 47, 1598
Rowland v. Cannon, 35 Ga. 105, 1374
v. Miln, 2 Hilt. 150, 1709
Rowley v. Bigelow, 12 Pick. (Mass.) 307, 1418
Roxbury v. Boston, &c., R. Co., 6 Cush. 424, 671, 770
v. Central Vermont R. Co., 4 Ry. & Corp. L. J. 204, 572
v. Central Vermont R. Co., 60 Vt. 121, 1097, 1099, 1105, 1112
Roy v. Chesapeake, &c., R. Co., 57 S. E. 39, 40 1406, 1419, 1432
v. Northern Pac. R. Co., 42 Wash. 572, 1419
Roy, &c., Co. v. Scott, &c., 11 Wash. 399, 373
Royal Bank of India's Case, L. R. 4 Ch. App. Cas. 252, 95, 933
Royal British Bank v. Turquand, 6 E. & B. 327, 259, 485, 898
Royal Trust Co. v. Washburn, &c., R. Co., 113 Fed. 531, 575
v. Washburn, &c., R. Co., 120 Fed. 11, 592
Royan Canadian Bank v. Grand Trunk R. Co., 23 Upper Can. C. P. 225, 1417
Royer v. Fleming, 58 Mo. 438, 625
Royston v. Illinois Cent. R. Co., 67 Miss. 376, 1639, 1799
Rozwadosfkie v. International, &c., R. Co., 1 Tex. Civ. App. 487, 1592
Rozzelle v. Hannibal, &c., R. Co., 79 Mo. 349, 1193
Ruben v. Ludgate, &c., R. Co., 49 Hun 608, 1694
Rubens v. Ludgate, &c., R. Co., 20 N. Y. Supp. 481, 1403
Rubey v. Shain, 54 Mo. 207, 867, 882
Rubinovitch v. Boston El. R. Co., (Mass.) 77 N. E. 895, 1096cb
Ruch v. Rock Island, 97 U. S. 693, 942
Ruck v. Hatfield, 5 Barn. & Ald. 632, 1431
Rucker v. Donovan, 13 Kan. 251, 1539, 1539a, 1542, 1543, 1570
v. Missouri Pac. R. Co., 61 Tex. 499, 1632
Ruckert v. Grand Ave. R. Co., 163 Mo. 260, 981
Rudd v. Robinson, 54 Hun, 329, 266
v. Robinson, 126 N. Y. 113, 171, 266
Ruddell v. Seaboard, &c., R. Co., 55 S. E. 528, 1176
Ruddick v. St. Louis, &c., R. Co., 116 Mo. 25, 941, 942, 945, 946, 1611
Rude v. St. Louis, 93 Mo. 408, 1086
Rudell v. Transit Co., 117 Mich. 568, 1423
Rudolph v. Pennsylvania, &c., R. Co., 164 Pa. St. 475, 924
v. Pennsylvania, &c., Co., 166 Pa. St. 430, 923, 957
Rudy v. Rio Grande, &c., R. Co., 8 Utah 165, 1637
Rueping v. Chicago, &c., R. Co., 116 Wis, 625, 1802
Ruffner v. Cincinnati, &c., R. Co., 34 Ohio St. 96, 1242
v. Mairs, 33 W. Va. 655, 556

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390: *Vol. IV,* §§ 1391–1851.]

Ruggles v. Brock, 6 Hun, (N. Y.) 164, 132, 176, 181
v. Illinois, 108 U. S. 526, 662, 672, 674, 1593, 1662c
v. People, 91 Ill. 256, 1593
v. Southern Minnesota Railroad, 5 Chicago Legal News, 110, 544, 545, 546, 549
v. Walker, 34 Vt. 468, 1073
Rugheimer, In re, 36 Fed. 369, 980
Ruhland v. Jones, 55 Wis. 673, 1034
Rumbough v. Southern, &c., R. Co., 106 N. C. 461, 410
Rummel v. Dilworth, 131 Pa. St. 509, 1283
Rumsey v. Call, 28 Fed. 769, 655
v. Delaware, &c., R. Co., 151 Pa. St. 74, 1300
v. New York, &c., R. Co., 133 N. Y. 79, 976, 977, 1038
v. Northeastern R. Co., 14 C. B. N. S. 641, 1662
v. People's, &c., R. Co., 154 Mo. 215, 521
Rundle v. Delaware, &c., Canal Co., 14 How. (U. S.) 80, 649
v. Slate Beet Elec. St. R. Co., 33 Pa. Super Ct. 233, 1810
Runk v. St. John, 29 Barb. (N. Y.) 585, 555, 570
Runnell v. Richmond, &c., R. Co., 47 Fed. 204, 1282
Runnels v. Houston, &c., R. Co., 50 S. W. 172, 1847
Runner v. Dwiggins, 147 Ind. 238, 187
Runt v. Illinois Cent. R. Co., 41 So. 1, 1366
Runyan v. Caldwell, 7 Humph. (Tenn.) 134, 1711
v. Central R. Co., 65 N. J. L. 228, 1637, 1647, 1816
v. Coster, 14 Pet. 122, 392, 398
v. Railroad Co., 64 N. J. L. 67 1577
Runyon v. Central R. Co., 25 N. J. L. 556, 1153, 1156, 1163
Ruochenberg v. Southern, &c., Co., 161 Mo. 70, 1096cf
Rupard v. Chesapeake, &c., R. Co., 88 Ky. 280, 1158, 1264
Ruppel v. Alleghany, &c., R. Co., 167 Pa. St. 166, 1449, 1482, 1483
v. United R. Co., 1 Cal. App. 666, 1096bv
Ruppert v. Brooklyn, &c., R. Co., 154 N. Y. 90, 1689f, 1701
v. Chicago, &c., R. Co., 43 Iowa 490, 1041, 1053
Rusch v. Davenport, 6 Ia. 443, 1096cl
v. Milwaukee, &c., R. Co., 54 Wis. 136, 1041, 1055
Rush v. Burlington, &c., R. Co., 57 Iowa, 201, 934, 942
v. Coal, &c., Mining Co., 131 Ind. 135, 1702
v. Foos Mfg. Co., 20 Ind. App. 515, 621a
v. McDermott, 50 Cal. 471, 934
v. Missouri, &c., R. Co., 36 Kan. 129, 1272, 1298
v. Spokane Falls R. Co., 23 Wash. 501, 1829
Rushenburg v. St. Louis, &c., R. Co., 109 Mo. 112, 1260
Rushford v. Hadfield, 6 East, 519, 1570
Rushville v. Rushville, &c., Co., 132 Ind. 575, 2, 662
Rushville Gas Co. v. Rushville, 121 Ind. 206, 161, 260, 697
Russ v. Telfener, 57 Fed. 973, 229
v. Wabash, &c., R. Co., 112 Mo. 45, 1329
Russell v. Bristol, 49 Conn. 251, 109
v. Central, &c., R. Co., 119 Ga. 705, 1169
v. Chicago, &c., R. Co., 98 Ill. App. 347, 1049a
v. Chicago, &c., R. Co., 205 Ill. 155, 1049a, 1096s
v. East Anglian Ry. Co., 3 Mac. & G. 104, 504, 547, 564, 575
v. East Anglian R. Co., 6 Eng. Railway & Canal Case 501, 574
v. Easterbrook, 71 Conn. 50, 178
v. Erie R. Co., 70 N. J. L. 808, 1500, 1505
v. First Nat. Bank, 65 Iowa 242, 584
v. Harriman Land Co., 145 Fed. 745, 656a
v. Horn Pond Branch R. Co., 4 Gray (Mass.), 607, 1037
v. Hudson River, &c., R. Co., 17 N. Y. 134, 1316
v. Livingston, 19 Barb. 346, 1401
v. Livingston, 16 N. Y. 513, 1524a
v. McLellan, 14 Pick. (Mass.) 63, 17, 190, 606
v. Maine Cent. R. Co., 100 Me. 406, 1190, 1205
v. Minneapolis, &c., R. Co., 32 Minn. 230, 1268, 1296, 1314
v. Minor, 22 Wend. (N. Y.) 659, 1414
v. Missouri, &c., R. Co., (Tex. Civ. App.) 35 S. W. 724, 1637
v. Pacific R. Co., (Cal.) 45 Pac. 323, 185
v. Pittsburg, &c., R. Co., 157 Ind. 305, 1236, 1320, 1510, 1604, 1645
v. Railroad Co., 118 N. C. 1098, 1165
v. Railway Co., 47 Fed. R. 204, 1282
v. Shenton, 3 Q. B. 449, 1025
v. Sunbury, 37 Ohio St. 372, 1361
v. Texas, &c., R. Co., 68 Tex. 646, 398, 406
v. Topping, 5 McLean (U. S.), 194, 409
v. Turner, 62 Me. 496, 1028
v. Wakefield W. W. Co., L. R. 20 Eq. 474, 374
Russell Grain Co. v. Railroad Co., 114 Mo. App. 488, 1471, 1689a
Russell Manufacturing Co. v. New Haven Steamboat Co., 50 N. Y. 121, 1463, 1527
v. New Haven, &c., R. Co., 52 N. Y. 657, 1527
Russian v. Milwaukee, &c., R. Co., 56 Wis. 325, 1076
Rust v. Low, 6 Mass. 90, 1180
v. United Water Works Co., 70 Fed. 129, 574
Ruth, In re, 32 Ia. 250, 1096t
Ruthe v. Green Bay, &c., R. Co., 37 Wis. 344, 621
Rutherford v. Chicago, &c., R. Co., 57 Minn. 237, 1290
v. Cincinnati, &c., R. Co., 35 Ohio St. 559, 1066
v. Hill, 22 Ore. 218, 20, 190
v. Hudson Etc. Co., (N. J.) 63 Atl. 84, 1096bf
v. Illinois Cent. R. Co., 85 S. W. 199, 650a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Rutherford v. Pennsylvania, &c., R. Co., 178 Pa. St. 38, 590
v. St. Louis, &c., R. Co., 28 Tex. Civ. App. 625, 1598
v. Shreveport, &c., R. Co., 41 La. Ann. 793, 1815
Ruthledge, Ex parte, 1 Harper's Eq. (S. C.) 65, 307
Rutland v. Dayton, 60 Ill. 58, 1096aj
Rutland R. Co., In re, 64 Atl. 233, 682a
Rutland, &c., Co. v. Bates, 68 Vt. 579, 11
v. Proctor, 29 Vt. 93, 369, 373, 801
v. Thrall, 35 Vt. 536, 45, 86, 134, 135, 140, 142, 143, 150, 152, 153
Rutledge v. Hannibal, &c., Co., 78 Mo. 286, 1193, 1200
v. Missouri, &c., R. Co., 123 Mo. 121, 1280
v. Missouri, &c., R. Co., 110 Mo. 312, 1296
v. New Orleans, &c., R. Co., 129 Fed. 94, 1096cy
Rutten v. Union Pac. R. Co., 17 Fed. 480, 336, 482, 510
Rutter v. Tallis, 5 Sandf. (N. Y.) 610, 565
Ruttles v. Covington (Ky.), 10 S. W. 644, 1076, 1077
Rutz v. Calhoun, 100 Ill. 392, 872
Ryalls v. Mechanics' Mills, 150 Mass. 190, 1337, 1345
Ryan v. Anglesea R. Co. (N. J.) 12 Atl. 539, 513
v. Baltimore, &c., R. Co., 60 Ill. App. 612, 1701
v. Canada, &c., R. Co., 10 Ont. 745, 1269, 1287
v. Central, &c., R. Co., 99 U. S. 382, 795
v. Commonwealth, 80 Va. 385, 684
v. Cumberland, &c., R. Co., 23 Pa. St. 384, 1303a
v. Detroit Citizens St. R. Co., 123 Mich. 597, 1096cl
v. Fowler, 24 N. Y. 410, 1251, 1303
v. Great Northern R. Co., 90 Minn. 12, 1426, 1532, 1536
v. Gross, 68 Md. 377, 1244
v. Hays, 62 Tex. 42, 526, 580, 587
v. Leavenworth, &c., R. Co., 21 Kan. 365, 95, 107, 251, 269, 276, 305, 933, 1058
v. Long Island, &c., R. Co., 51 Hun, 607, 1271
v. Los Angeles, &c., Co., 112 Cal. 244, 1304
v. Lynch, 68 Ill. 160, 867, 876, 900
v. Mississippi Valley R. Co., 62 Miss. 162, 1057
v. Missouri, &c., R. Co., 65 Tex. 13, 1457, 1494, 1506, 1507, 1516, 1569
v. Morrill, 83 Ky. 352, 576
v. New York, &c., R. Co., 35 N. Y. 210, 1300
v. New York, &c., R. Co., 169 Mass. 267, 1269
v. New York, &c., R. Co., 88 Hun, (N. Y.) 269, 1278, 1301
v. Rand, 20 Abb. N. Cas. (N. Y.) 313, 576
v. Third Ave. R. Co., 86 N. Y. S. 1070, 1301a
v. Tower, 128 Mich. 463, 1259
v. Varga, 37 Iowa 78, 865, 872
Ryckman v. Gillis, 6 Lans. (N. Y.) 79, 977
Ryder v. Alton, &c., R. Co., 13 Ill. 516, 174, 176, 177, 321
v. Burlington, &c., R. Co., 51 Iowa 460, 1556
v. Bushwick R. Co., 134 N. Y. 83, 79, 89
v. Hall, 7 Allen (Mass.), 456, 1416
v. Thomas, 13 Hun, 296, 1186
Ryerson v. Brown, 35 Mich. 333, 950, 1096g
Ryland v. Chesapeake, &c., R. Co., 55 W. Va. 181, 1483, 1719
Saare v. Union R. Co., 20 Mo. App. 211, 1096ce
Sabin v. Bank, 21 Vt. 353, 99, 101
v. Columbian Fuel Co., 25 Ore. 15, 600, 601, 604
v. Vermont Cent. R. Co., 25 Vt. 363, 1004, 1057, 1063
Sabine, &c., R. Co. v. Ewing, 1 Tex. Civ. App. 531, 1296
v. Gulf, &c., R. Co., 92 Tex. 162, 966
v. Johnson, 65 Tex. 389, 977
Sacalaris v. Eureka, &c., R. Co., 18 Nev. 155, 208, 297, 298
Sachra v. Manilla, 120 Ia. 562, 1808
Sachrowitz v. Atchison, &c., R. Co., 37 Kan. 212, 1265, 1639, 1701
Sachse v. Citizens' Bank, 37 La. Ann. 364, 647
Sackett's Harber Bank v. Blake, 3 Rich. Eq. (S. Car.) 225, 189
Sacramento Valley R. Co. v. Moffat, 7 Cal. 577, 1030
Sacramento, &c., Mining Co. v. Showers, 6 Nev. 291, 1017
Sacramento, &c., R. Co., v. Harlan, 24 Cal. 334, 1010, 1053
v. Moffat, 6 Cal. 74, 996
v. Superior Court, 55 Cal. 453, 514, 545, 549
Sadd v. Maldon, &c., R. Co., 6 Exchq. 143, 954, 960, 973
Sadler v. Langham, 34 Ala. 311, 952, 954
Sadowski v. Michigan, &c., R. Co., 84 Mich. 100, 1318
Saffold v. Barnes, 39 Miss. 399, 132, 176, 181
Safford v. Boston, &c., R. Co., 103 Mass. 583, 1231
v. Drew, 3 Duer, 627, 1367, 1372, 1375
Sage v. Central R. Co., 99 U. S. 334, 515, 533, 535, 536
v. Culver, 71 Hun (N. Y.), 42, 165
v. Evansville, &c., R. R. Co., 134 Ind. 100, 200, 1603
v. Lake Shore, &c., R. Co., 70 N. Y. 220, 339
v. Memphis, &c., R. Co., 18 Fed. R. 571, 541, 542, 546, 548, 561, 586
v. Memphis, &c., R. Co., 125 U. S. 361, 539, 540, 542, 545, 548
v. Winona, &c., R. Co., 58 Fed. R. 297, 803
Sager v. Portsmouth, &c., R. Co., 31 Me. 228, 1440, 1474, 1487, 1490, 1516, 1545
Saginaw Union, &c., R. Co. v. Michigan Cent. R. Co., 91 Mich. 657, 1096cm
Saginaw, &c., R. Co. v. Chappell, 56 Mich. 190, 114

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Saginaw, &c., Co. v. Saginaw, 28 Fed. R. 529, 65, 1076, 1096h
Sagory v. Dubois, 3 Sandf. Ch. (N. Y.) 466, 89, 146, 155, 181, 569
Sahlgard v. Kennedy, 1 McCrary (U. S.), 291, 535
St. Albans v. National Car Co., 57 Vt. 68, 743
St. Anthony, &c., Co. v. King, &c., Co., 23 Minn. 186, 654
St. Cecilia Academy v. Hardin, 78 Ga. 39, 616
St. Clair v. Chicago, &c., R. Co., 80 Ia. 304, 1720
v. Cox, 106 U. S. 350, 621
v. Missouri Pac. R. Co., 29 Mo. App. 76, 1801
v. St. Louis, &c., R. Co., 99 S. W. 775, 1303a
St. Clair Co. v. Interstate, &c., Co., 192 U. S. 454, 1663, 1671
St. George's Estate, In re, 19 L. R. I. R. 566, 586
St. Hubert, The, 102 Fed. 362 1507, 1512
St. John v. Erie R. Co., 22 Wall. (U. S.) 136, 4, 81, 83, 85, 316, 495
v. Erie R. R. Co., 10 Blatchf. (U. S.) 271, 83, 320
v. Express Co., 1 Woods 612, 1491
v. Gulf, &c., R. Co., 80 S. W. 235, 1831, 1843
v. Hall, 41 Conn. 522, 1073
St. Johns Mfg. Co. v. Munger, 106 Mich. 90, 13a
St. Johns, &c., R. Co. v. Bartola, 28 Fla. 82, 1070
v. Ransom, 33 Fla. 406, 1226
St. Johnsbury, &c., R. Co. v. Willard, 61 Vt. 134, 998
St. Johnsville v. Smith, 184 N. Y. 341, 998
St. Joseph v. Crowther, 142 Mo. 155, 1046
St. Joseph Co. v. Pidge, 5 Ind. 13, 1057c
St. Joseph Term. R. Co. v. Hannibal, &c., R. Co., 94 Mo. 635, 1030a
St. Joseph Township v. Rogers, 16 Wall. 644, 827, 845, 894, 895, 898, 913
St. Joseph, &c., R. Co. v. Baldwin, 103 U. S. 426, 797
v. Buchanan County Ct. 39 Mo. 485, 814, 833
v. Callender, 13 Kan. 496, 1049, 1050, 1051, 1055
v. Chase, 11 Kan. 47, 1177, 1224, 1231, 1238, 1243, 1244
v. Hannibal, &c., R. Co., 94 Mo. 535, 952
v. Hedge, 44 Neb. 448, 1589, 1642
v. Humphreys, 145 U. S. 105, 567, 579
v. Orr, 8 Kan. 419, 985, 987, 1036
v. Palmer, 38 Neb. 463, 1454, 1499, 1500, 1506
v. Ryan, 11 Kan. 602, 122, 362, 386, 928, 941
v. St. Louis &c., R. Co., 135 Mo. 173, 340, 449, 453
v. Shambaugh, 106 Mo. 557, 17, 35, 957, 996
v. Smith, 170 Mo. 327, 497
v. Smith, 19 Kan. 225, 563, 571, 572
v. Steele, 167 U. S. 659, 28, 649
v. Wheeler, 35 Kan. 185, 1378b, 1582, 1629, 1645
St. Joseph, &c., Co. v. Cincinnati, &c., R. Co., 190 Ind. 172, 1046a
St. Julien v. Morgan, &c., R. Co., 35 La. Ann. 924, 949, 1049
St. Joze Indiano, The, 1 Wheat. 208, 1426
St. Lawrence &c., R. Co., In re, 138 N. Y. 270, 998, 1028
St. Lawrence Steamboat Co., In re, 44 N. J. 529, 92, 241
St. Louis v. Alexander, 23 Mo. 483, 263, 827, 885
v. Allen, 53 Mo. 44, 782
v. Ferry Co., 11 Wall. 423, 755, 769
v. Gleason, 15 Mo. App. 25, 1034
v. Gleason, 93 Mo. 33, 1014
v. Manufacturers' Savings Bank, 49 Mo. 574, 746
v. Missouri, &c., R. C., 13 Mo. App. 524, 1096o, 1096ak
v. Nelson, 108 Mo. App. 210, 1003, 1003b
v. Ranken, 96 Mo. 497, 783
v. St. Louis, &c., R. Co., 89 Mo. 44, 1082, 1096ag
v. Shields, 62 Mo. 247, 898
v. Western Union Tel. Co., 148 U. S. 82, 767, 778, 965
v. Western Union Tel. Co., 63 Fed. R. 68, 1079, 1082
v. Wiggins Ferry Co., 11 Wall. (U. S.) 425, 756
St. Louis Bolt & Iron Co. v. Donohue, 3 Mo. App. 559, 6, 389, 1067
St. Louis Bridge Co. v. Curtis, 103 Ill. 410, 525
St. Louis Cordage Co. v. Miller, 126 Fed. 495, 1288a
St. Louis Drug Co. v. Robinson, 81 Mo. 18, 378
St. Louis Gas Light Co. v. St. Louis, 84 Mo. 202, 62
v. St. Louis, &c., R. Co., 104 U. S. 146, 1444
St. Louis Perpetual Ins. Co. v. Goodfellow, 9 Mo. 149, 99, 100
St. Louis Southwestern R. Co. v. Crabb, 80 S. W. 408, 1245b
St. Louis Stock Yards v. Wiggins Ferry Co., 112 Ill. 384, 949
St. Louis Stoneware Co. v. Partridge, 8 Mo. App. 217, 274, 378
St. Louis Trust Co. v. Des Moines &c., R. Co., 101 Fed. 632, 532
St. Louis, &c., Assn. v. Hennessy, 11 Mo. App. 555, 263
St. Louis, &c., Coal Co. v. Sandoval, &c. Co., 116 Ill. 770, 151, 426, 534
v. Sandoval Coal Co., 111 Ill. 32, 563, 609
St. Louis, &c., Mining Co. v. Jackson, 5 Cent. L. J. 317, 11
St. Louis, &c., R. Co., Ex parte, 40 Ark. 141, 621
v. Adams, 74 Ark. 326, 1807
v. Adams, 4 Kan. App. 305, 1419
v. Almeroth, 62 Mo. 343, 1044
v. Anderson, 39 Ark. 167, 987, 993, 994, 995, 996, 1038
v. Andrews, 96 S. W. 183, 1697
v. Aubuchon, 97 S. W. 867, 992, 1052
v. Ball, 28 Tex. Civ. App. 287, 1814, 1630a, 1830, 1833, 1847
v. Barnes, 72 S. W. 1041, 1746, 1747
v. Barnett, 65 Ark. 255, 1590, 1590a
v. Bauer, 156 Ill. 106, 1795
v. Bear, 86 S. W. 653, 1057g

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

St. Louis, &c., R. Co. v. Beets, 89 Pac. 683 1551a
v. Bell, 81 Ill. 76, 1259
v. Belleville, 122 Ill. 376, 1082
v. Belleville, 20 Ill. App. 581, 1096s
v. Belleville St. R. Co., 158 Ill. 390, 957
v. Berry, 41 Ark. 509, 330, 335
v. Berry, 113 U. S. 465, 330, 331, 747
v. Berry, 15 S. W. 48, 1825
v. Berry, 93 S. W. 1107, 1746, 1747
v. Biggs, 50 Ark. 160, 1218
v. Biggs, 53 Ill. App. 550, 1269, 1326
v. Blackburn, 15 S. W. 469, 1848
v. Bland, (Tex. Civ. App.), 34 S. W. 675, 1455
v. Blind Inst., 43 Ill. 303, 980
v. Bloyd, (Ark.) 31 S. W. 457, 1314
v. Bolton, 36 Tex. Civ. App. 87, 1250, 1251, 1252, 1257
v. Bone, 52 Ark. 26, 1508
v. Box, 52 Ark. 368, 1163
v. Boyer, 97 S. W. 1070, 1586
v. Bragg, 69 Ark. 402, 1817
v. Branch, 45 Ark. 524, 1637
v. Brennan, 20 Ill. App. 555, 1313
v. Brock, 64 Kan. 90, 1850
v. Brown, 62 Ark. 254, 1637a, 1792
v. Brown, 34 Ill. App. 552, 1048
v. Brown, 58 Ill. 61, 990, 992
v. Brown, 67. Ark. 295, 1278, 1332
v. Bryant, 99 S. W. 693, 1257
v. Bryant, 92 S. W. 813, 1841
v. B'Shears, 59 Ark. 237, 668
v. Buckner, 90 S. W. 664, 1754
v. Burke, 12 Ill. App. 369, 1313
v. Burke, 36 Tex. Civ. App. 222, 1843
v. Burns, 80 S. W. 104, 1730, 1734, 1755
v. Burrows, 62 Kan. 89, 1633
v. Busby, 81 Mo. 43, 1185
v. Busick, 86 S. W. 674, 1198
v. Byers, 70 S. W. 558, 1812, 1830
v. Byers, 90 S. W. 720, 1719
v. Cannon, 81 S. W. 778, 1833, 1840
v. Cantrell, 37 Ark. 519, 1590, 1643, 1825
v. Capps, 67 Ill. 607, 978, 996
v. Caraway, 91 S. W. 749, 1282, 1314
v. Carden, (Tex. Civ. App.) 34 S. W. 145, 1669
v. Carlisle, 34 Tex. Civ. App. 268, 217, 1449, 1554, 1746
v. Casner, 72 Ill. 384, 1214
v. Casseday, 92 Tex. 525, 1840
v. Cates, 15 Tex. Civ. App. 135, 1743
v. Chapman, 38 Kan. 307, 1038
v. Clark, 48 Kan. 321, 1747
v. Clark, 119 Mo. 357, 632, 986, 1052, 1053
v. Clark, 121 Mo. 161, 938, 973
v. Clark, 48 Kan. 321, 1423
v. Clark, 48 Kan. 236, 1546
v. Clay, 77 Ark. 357, 724
v. Cleary, 77 Mo. 634, 1423
v. Cleveland, &c., R. Co., 125 U. S. 658, 528
v. Cline, 69 Ark. 659, 1213
v. Cochran, 91 S. W. 747, 1255, 1262
v. Commercial, &c., Ins. Co., 139 U. S. 223, 1404, 1413, 1457a, 1488, 1509
v. Continental Brick Co., 96 S. W. 1011, 989, 991b
St. Louis, &c., R. Co. v. Cook, 171 Mo. 348, 956
v. Coolidge, 73 Ark. 112, 1483, 1504, 1695, 1738
v. Coombes, 88 S. W. 595, 1224, 1242, 1243, 1244
v. Coulson, 8 Kan. App. 4, 1592
v. Crabb, 80 S. W. 408, 1238, 1239
v. Crosnoe, 72 Tex. 79, 1250
v. Curl, 28 Kan. 622, 468, 471, 1208, 1573
v. Dalby, 19 Ill. 535, 1802
v. Daugherty, 31 S. W. 705, 1704
v. Davis, 54 Ark. 389, 1288
v. Dawson, 92 S. W. 27, 1224, 1243
v. Dawson, 68 Ark. 1, 1361a, 1378a
v. Dawson, 64 Kan. 99, 1164
v. De Ford, 38 Kan. 299, 621
v. Dewees, 23 Fed. R. 519, 540
v. Dobbins, 60 Ark. 481, 1699, 1819
v. Donovan, 149 Mo. 93, 1047
v. Dooley, 92 S. W. 789, 1249
v. Dorman, 72 Ill. 504, 1475, 1545, 1548, 1551
v. Dorsey, 47 Ill. 288, 622
v. Dorsey, 189 Ill. 251, 1795
v. Dowgiallo, 101 S. W. 412, 1638
v. Doyle, 25 S. W. 461, 1804
v. Drennan, 26 Ill. App. 263, 213, 269, 1063
v. Dudgeon, 28 Kan. 283, 1190
v. Dunn, 78 Ill. 197, 711, 1157
v. Eakins, 30 Iowa, 279, 116
v. Edwards, 78 Fed. 745, 1471
v. Eggmann, 161 Ill. 155, 1698
v. Eitel, 72 S. W. 205, 1849
v. Elgin, &c., Co., 175 Ill. 557, 303, 1423, 1435, 1438
v. Elgin Condensed Milk Co., 74 Ill. App. 619, 1734
v. Elledge, 93 S. W. 490, 1850
v. Evans, 78 Tex. 369, 1215
v. Evans, &c., Co., 85 Mo. 307, 1050, 1051, 1053
v. Evans, 96 S. W. 616, 1703
v. Everett, 89 S. W. 457, 1851
v. Fairbairn, 48 Ark. 491, 1250, 1256
v. Farr, 70 Ark. 264, 1628
v. Ferguson, 26 Tex. Civ. App. 460, 1833
v. Finley, 79 Tex. 85, 1591, 1627a
v. Fire Asso., 55 Ark. 163, 1493
v. Flannagan, 23 Ill. 489, 1466, 1533, 1570
v. Foltz, 52 Fed. 627, 30, 931, 933, 956, 973
v. Ford, 65 Ark. 96, 1227
v. Foster, 89 S. W. 450, 1755, 1828
v. Fowler, 113 Mo. 458, 615, 1006, 1029, 1041
v. Francis, 58 Ind. 389, 1195
v. French, 56 Kan. 584, 1315f
v. Freeman, 36 Ark. 41, 1822
v. Funk, 85 Ill. 460, 688, 1245a
v. Greenthal, 77 Fed. 150, 1689i
v. Gentry, 80 S. W. 844, 1231
v. George, 85 Tex. 150, 1278
v. Gilham, 32 Ill. 455, 1224
v. Gill, 156 U. S. 649, 613, 659, 691, 693, 1662d, 1670b
v. Gill, 54 Ark. 101, 713, 1593, 1684c
v. Gillihan, 77 Ark. 551, 1063
v. Granger, 100 S. W. 987, 1638
v. Grayson, 31 Tex. Civ. App. 611, 1049, 1049f
v. Griffith, (Tex. Civ. App.) 35 S. W. 741, 1638
v. Grove, 39 Kan. 731, 230, 296, 297

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

St. Louis, &c., R. Co. v. Gunter, 86 S. W. 938, 1730, 1754, 1755
v. Gunter, 99 S. W. 152, 1520, 1555, 1746, 1749
v. Hackett, 58 Ark. 381, 1265
v. Hadley, 155 Fed. 220, 1688c
v. Hagan, 42 Ark. 122, 1206, 1213, 1214, 1218
v. Haist, 71 Ark. 258, 1366, 1378a
v. Hale, 100 S. W. 1148, 1186, 1216
v. Haller, 82 Ill. 208, 41, 966, 995, 996
v. Hambrick, 97 S. W. 1072, 1510, 1512
v. Haney, 94 S. W. 386, 1839
v. Hanks, 97 S. W. 666, 1057
v. Hannibal, &c., R. Co., 125 Mo. 82, 927a, 964, 967
v. Hardway, 17 Ill. App. 321, 1647, 1652
v. Hardy, 55 Ark. 134, 200, 202, 1626, 1626a
v. Harper, 44 Ark. 524, 1323
v. Harris, 47 Ark. 340, 937
v. Harrison, 76 Ark. 430, 1836
v. Harrison, 32 Tex. Civ. App. 368, 1841
v. Hatch, 116 Tenn. 580, 1625
v. Hauks, 78 Tex. 300, 1190
v. Hawkins, 39 Ill. App. 406, 1655
v. Haynes, 86 S. W. 934, 1828
v. Hays, (Tex. Civ. App.) 35 S. W. 476, 1512
v. Heath, 41 Ark. 476, 1520, 1693
v. Hecht, 38 Ark. 357, 1225, 1233, 1238, 1239, 1241
v. Henderson, 57 Ark. 402, 1551, 1719
v. Hendricks, 53 Ark. 201, 1206
v. Hendricks, 48 Ark. 177, 210, 216, 1749
v. Henry, 75 Ark. 603, 1068, 1070
v. Henson, 61 Ark. 302, 1332
v. Henson, 58 Fed. 531, 1368
v. Hicks, 79 Fed. 262, 1378a
v. Higgins, 44 Ark. 283, 1296
v. Highnote, 74 S. W. 920, 1820
v. Highnote, 86 S. W. 923, 1628
v. Hill, 14 Ill. App. 579, 1678, 1682
v. Hitt, 88 S. W. 908, 1179a
v. Hitz, 33 Kan. 404, 1181
v. Hogan, 42 Ark. 122, 1213
v. Holmes, 49 S. W. 658, 1851
v. Holliday, 131 Mo. 440, 563
v. Honea, 84 S. W. 267, 1734
v. Hooser, 97 S. W. 708, 1242
v. Hoover, 53 Ark. 377, 222
v. Hoover, (Kan.) 43 Pac. 854, 1224, 1246
v. Hopkins, 100 Ill. App. 567, 1689d
v. Houck, Mo. App., 97 S. W. 963, 117, 122, 125
v. Hughes, 73 S. W. 976, 994
v. Hunt, 81 S. W. 322, 1734, 1746, 1748
v. Hurst, 67 Ark. 407, 1504, 1512
v. Hurst, 14 Ill. App. 419, 937
v. Illinois Cent. R. Co., 11 I. C. C. 486, 1686a, 1877
v. Illinois Inst. for the Blind, 43 Ill. 303, 965
v. Indianapolis, &c., R. Co., 9 Biss. (U. S.) 144, 28
v. Inman, 99 S. W. 832, 1302, 1787
v. Insurance Co., 139 U. S. 223, 1462
v. Irwin, 115 Ind. 378, 1271
v. Irwin, 37 Kan. 701, 1704
St. Louis, &c., R. Co. v. Jackson, 93 S. W. 746, 1298a, 1314
v. Jackson, 95 Fed. 560, 515
v. Jacobs, 70 Ark. 401, 1514
v. James, 161 U. S. 545, 23, 28, 649
v. Johnson, 86 Pac. 156, 1278
v. Johnson, 53 Ark. 282, 1710
v. Johnson, 75 Ark. 372, 1159
v. Johnson, 85 S. W. 476, 1105, 1176
v. Johnson, 94 S. W. 162, 1804
v. Johnson, 97 S. W. 1039, 1628b
v. Johnston, 78 Tex. 536, 1368
v. Jones, 59 Ark. 105, 1239, 1243, 1243a
v. Karnes, 101 Ill. 402, 1052
v. Kelley, 61 Ark. 52, 218, 1689i
v. Kennedy, 96 S. W. 653, 1689i
v. Kennemore, 81 S. W. 802, 1248
v. Kenyon, 57 Ill. App. 640, 1292
v. Kerr, 153 Ill. 182, 1059, 1065
v. Keys, 98 S. W. 138, 1548
v. Kilman, 86 S. W. 1050, 1158
v. Kimmons, (Ark.) 32 S. W. 505, 1219
v. Kimberlain, 88 S. W. 599, 1205
v. Kirby, 104 Ill. 345, 988, 994, 996
v. Kirkwood, 159 Mo. 239, 1081, 1096p, 1096bi
v. Knapp, &c., Co., 160 Mo. 396, 980, 991, 991a, 995
v. Knight, 122 U. S. 79, 1404, 1409, 1413, 1419, 1420, 1462, 1481, 1694
v. Knott, 54 Ark. 424, 1063, 1064
v. Larned, 103 Ill. 293, 303, 364, 1419, 1526
v. League, 71 Kan. 79, 1231, 1238
v. Leamons, 102 S. W. 363, 1816, 1831
v. Lear, 54 Ark. 399, 1451
v. Leder Bros., 95 S. W. 170, 722a
v. Lee, 69 Ark. 584, 1691
v. Leftwich, 117 Fed. 127, 1702
v. Lesser, 46 Ark. 236, 1504, 1511, 1516, 1546
v. Lewright, 113 Mo. 660, 1014, 1027, 1028, 1029
v. Linam, 68 Ark. 621, 1798
v. Lindley, (Tex. C. A.) 29 S. W. 1101, 1224, 1245
v. Love, 74 Ark. 528, 1068, 1070, 1074a
v. Lovelady, 36 Tex. Civ. App. 282, 1746, 1750, 1755
v. Lowe, 97 S. W. 1087, 1627a
v. Lux, 63 Ill. 523, 1053
v. McBride, 141 U. S. 127, 623
v. McClain, 80 Tex. 85, 1825
v. McCormick, 71 Tex. 660, 1339, 1366
v. McGee, 115 U. S. 469, 495, 796, 802
v. McGill, 64 Fed. 165, 1677
v. McKinsey, 78 Tex. 298, 1247
v. McLain, 80 Tex. 85, 1297
v. McNeil, 96 S. W. 163, 1557
v. Maddox, 18 Kan. 546, 1689i
v. Maddry, 57 Ark. 306, 1378b
v. Manly, 58 Ill. 300, 1257
v. Mara, (Ark) 16 S. W. 196, 1314
v. Marrs, 60 Ark. 637, 1412, 1432, 1449
v. Marshall, 74 Ark. 597, 1448, 1475, 1478, 1480, 1734
v. Marshal, 71 Kan. 866, 1590a
v. Martin, 29 Kan. 750, 1033
v. Martin, 35 S. W. 28, 1404, 1718

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

St. Louis, &c., R. Co. v. Martin, 61 Ark. 549, 1166, 1702
v. Massay, 76 S. W. 585, 1841
v. Mathers, 71 Ill. 592, 275, 362, 386, 387, 416, 928, 941
v. Mathers, 104 Ill. 257, 122, 386, 928
v. Mathias, 50 Ind. 65, 1156, 1159, 1160, 1699
v. Mathis, 76 Ark. 184, 1314, 1828
v. Matthews, 165 U. S. 1, 1220, 1223
v. Matthews, 34 Tex. Civ. App. 302, 1850
v. Mayfield, 35 Tex. Civ. App. 82, 1581a
v. Memphis, &c., R. Co., 72 Mo. 664, 1068
v. Mendonsa, 193 Mo. 518, 991b, 996
v. Miles, 79 Fed. 257, 1314
v. Miller, 43 Ill. 199, 526
v. Miller, 67 Ark. 498, 735
v. Missouri Pac. R. Co., 35 Mo. App. 272, 1452
v. Mitchell, 47 Ill. 165, 996
v. Mitchell, 57 Ark. 418, 1096ct
v. Mize, 95 S. W. 488, 1268
v. Mollet, 59 Ill. 235, 996
v. Monday, 49 Ark. 257, 1257, 1258
v. Montgomery, 39 Ill. 335, 1409
v. Moore, 14 Ill. App. 510, 1696
v. Morgan, 98 S. W. 408, 1629
v. Morris, 35 Ark. 622, 937
v. Morrison, 85 Pac. 295, 1114, 1151, 1158
v. Morrow, 93 S. W. 162, 1833
v. Moss, 84 S. W. 281, 1241
v. Mudford, 48 Ark. 502, 1710, 1730
v. Murphy, 60 Ark. 333, 1403, 1462, 1463
v. Murray, 55 Ark. 248, 1642, 1689j
v. Musick, 35 Tex. Civ. App. 591, 1745, 1755, 1798
v. Myrtle, 51 Ind. 566, 200, 1603, 1704
v. Nance, 101 S. W. 294, 1842
v. Neal, 98 S. W. 958, 1688b
v. Needham, 52 Fed. 371, 1361, 1367, 1372, 1373, 1378
v. Needham, 63 Fed. 107, 1276, 1333a
v. Needham, 69 Fed. 823, 1274
v. Neel, 56 Ark. 279, 1403, 1420, 1691, 1729, 1799
v. Neely, 63 Ark. 636, 1093, 1094, 1152, 1252
v. Neely, 101 S. W. 481, 1638
v. Nelson, 20 Tex. Civ. App. 536, 1310, 1829
v. Nelson, 44 S. W. 179, 1604
v. North, 31 Mo. App. 345, 1035
v. Northwestern, &c., Railroad Co., 69 Mo. 65, 968, 1049
v. Nugent, 152 Ill. 119, 948
v. Nyce, 61 Kan. 394, 998
v. O'Baugh, 49 Ark. 418, 945
v. Oliver, 87 Pac. 423, 991b, 1006
v. O'Loughlin, 49 Fed. 440, 1204
v. Ostrander, 66 Ark. 567, 1565
v. Parks, 60 Ark. 187, 1701
v. Parks, 90 S. W. 343, 1645a, 1689l, 1833
v. Parmer, (Tex. Civ. App.) 30 S. W. 1109, 1516
v. Paul, 173 U. S. 404, 665, 668, 770
v. Paul, 64 Ark. 83, 1336
v. Paup (Ark.), 22 S. W. 213, 218
v. Payne, 29 Kan. 166, 1264
St. Louis, &c., R. Co. v. Pearce, 101 S. W. 760, 1502a, 1504, 1723
v. Penn. Co., 118 U. S. 290, 456
v. Person, 49 Ark. 182, 1628, 1643
v. Petty, 57 Ark. 359, 930, 960, 961, 971
v. Phillips, 87 Pac. 470, 1512
v. Pickens, (Tex.) 14 S. W. 1071, 1215
v. Pickens, 3 Tex. App. Civ. Cas. 471, 1218
v. Piper, 13 Kan. 505, 1434, 1435, 1549
v. Pitcock, 101 S. W. 725, 1608
v. Pope, 97 S. W. 534, 1296
v. Postal Tel. Co., 173 Ill. 508, 996b, 1014, 1025, 1027, 1028
v. Pritchett, 66 Ark. 46, 1850
v. Putnam, 1 Tex. Civ. App. 142, 1327
v. Rawley, 90 Ill. App. 653, 1850
v. Ray (Tex. Civ. App.), 35 S. W. 951, 1660
v. Reagan, 52 Ill. App. 488, 1255
v. Reed, 88 S. W. 836, 1255
v. Rexroad, 59 Ark. 180, 1262
v. Rice, 51 Ark. 457, 1327
v. Rice, (Tex.) 29 S. W. 525, 1632, 1643
v. Richardson, 47 Kan. 517, 1226
v. Richardson, 45 Mo. 466, 989, 995, 1045
v. Ricketts, 22 Tex. Civ. App. 515, 1841
v. Ridge, 20 Ind. App. 547, 1248
v. Ritz, 33 Kan. 408, 1220a
v. Ritz, 30 Kan. 30, 1061
v. Robbins, 57 Ark. 377, 1272, 1828
v. Rogers, 72 Ark. 270, 1070
v. Rollins, 89 S. W. 1099, 1689b
v. Rose, 20 Ill. App. 670, 1519, 1526
v. Ross, 89 S. W. 1105, 1628b, 1841
v. Ross, (Ark) 33 S. W. 1054, 1175
v. Russell, 39 Ill. App. 443, 1204
v. Ryan, 56 Ark. 245, 43
v. St. Louis, 92 Mo. 160, 1076
v. St. Louis, &c., R. Co., 100 Mo. 419, 1119
v. St. Louis, &c., R. Co., 111 Mo., 666, 1116, 1127
v. Saw, 68 Ark. 218, 1493
v. Sharp, 27 Kan. 134, 1220a
v. Sharrock, 98 S. W. 158, 1557
v. Shaw, 88 S. W. 817, 978
v. Sherlock, 59 Kan. 23, 1499
v. Shilet, 98 Tex. 326, 1248
v. Shoemaker, 27 Kan. 677, 715
v. Smith, 216 Ill. 339, 1181
v. Smith, 42 Ark. 265, 1036
v. Smith, 33 Tex. Civ. App. 520, 1747
v. Smith, 34 Tex. Civ. App. 612, 1807
v. Smith, 30 Tex. Civ. App. 336, 1829
v. Smith, 90 S. W. 926, 1689l
v. Smuck, 49 Ind. 302, 1505
v. South, 43 Ill. 176, 1603
v. Southern Ex. Co., 117 U. S. 1, 1394, 1396, 1645, 1672, 1681, 1685
v. Southern, R. Co., 105 Mo. 577, 6, 922, 1077, 1081, 1096f, 1096l
v. Southern R. Co., 138 Mo. 591, 1031
v. Stokes, 99 S. W. 120, 1754
v. Southwestern Tel. Co., 121 Fed. 276, 1027, 1030a, 1049a, 1119

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

St. Louis, &c., R. Co. v. Spivey, 97 Tex. 143, 1283
v. Springfield, &c., R. Co., 96 Ill. 274, 41, 966, 996, 1116, 1127
v. Stanfield, 63 Ark. 643, 1190
v. Standifer, 99 S. W. 81, 1309
v. State, 61 Ark. 9, 641, 1479
v. State, 55 Ark. 200, 721
v. State, 56 Ark. 166, 713
v. State, 58 Ark. 39, 721
v. Stevens, (Kan. App.) 43 Pac. 434, 1238
v. Stone, 25 Tex. Civ. App. 569, 1171
v. Stone, 95 S. W. 471, 1655
v. Strotz, 47 Ill. App. 342, 1244
v. Stroud, 67 Ark. 112, 1804
v. Sweet, 60 Ark. 550, 1378, 1378a, 1585
v. Sweet, 63 Ark. 563, 1830
v. Terrell, 72 S. W. 430, 1652
v. Teters, 68 Ill. 144, 982, 1028, 1033
v. Thompson, &c., Co., 94 S. W. 707, 1224
v. Tiernan, 37 Kan. 606, 10, 89, 110, 129, 251
v. Todd, 36 Ill. 409, 1188
v. Tomlinson, 94 S. W. 613, 1114, 1151a
v. Tomlinson, 69 Ark. 489, 1166, 1179a, 1832
v. Townsend, 101 S. W. 455, 1645a
v. Traweek, 84 Tex. 65, 623
v. Trimble, 54 Ark. 354, 1823
v. Triplett, 54 Ark. 289, 1298a, 1327a
v. Underwood, 74 Ark. 610, 1252
v. Union Trust & Sav. Bank, 209 Ill. 457, 1053
v. Van Hoorebeke, 191 Ill. 633, 939
v. Vaughn, 41 S. W. 415, 1549, 1755
v. Vestal, (Tex. Civ. App.) 86 S. W. 790, 1288
v. Vincent, 36 Ark. 451, 1205, 1213
v. Von Puhl, 133 Mo. 561, 1060a
v. Walbrink, 47 Ark. 330, 937, 1057
v. Waren, 65 Ark. 619, 1822, 1849
v. Washburn, 97 Ill. 253, 1188
v. Watkins, 100 S. W. 162, 1725
v. Weakly, 50 Ark, 397, 1435, 1441, 1446, 1454, 1501, 1502, 1504, 1510, 1516, 1549, 1719
v. Weaver, 35 Kan. 412, 1268, 1278, 1313
v. Welsh, 72 Tex. 298, 1332
v. White, (Tex. Civ. App.) 34 S. W. 1042, 1580, 1629
v. White, 89 S. W. 746, 1602
v. Wilder, 17 Kan. 239, 1025, 1033, 1045, 1046a
v. Williams, 49 Ark. 492, 670, 1220
v. Williams, 32 S. W. 225, 1727
v. Willis, 38 Kan. 330, 1063, 1337
v. Wilson, 70 Ark. 136, 1591c, 1802, 1839
v. Wilson, 114 U. S. 60, 647, 650
v. Winkelman, 47 Ill. App. 276, 1057d
v. Wright, 57 Ark. 327, 1219
v. Wright, 33 Tex. Civ. App. 80, 1591c
v. Wyatt, 96 S. W. 376, 1703
v. Wynne, &c., Co., 99 S. W. 374 1470
v. Yocum, 34 Ark. 493, 1359
St. Louis, &c., Term. R. Co. v. Callahan, 194 U. S. 628, 1335
St. Louis, &c., Co. v. Loftin, 30 Ark. 693, 76, 750
v. Louisville, &c., Co., 65 Fed. R. 39, 1681
v. McLelland, 62 Fed. 116, 218
v. Terre Haute, &c., Co., 145 U. S. 393, 322a, 377, 430, 432, 433, 439, 442, 448, 455
v. Worthen, 52 Ark. 529, 740, 771
St. Michaels, &c., Church v. Forty Second St., &c., R. Co., 26 Misc. (N. Y.) 601, 1096r, 1096j
St. Paul v. Chicago, &c., Co., 49 Minn. 88, 948
v. Nickl, 42 Minn. 262, 1019
v. St. Paul, &c., Co., 23 Minn. 469, 770
St. Paul Roller Mills Co. v. Great Western Despatch Co., 27 Fed. 434, 1541
St. Paul Division v. Brown, 11 Minn, 356, 17
St. Paul Fire Insurance Co. v. Allis, 24 Minn. 75, 34
St. Paul Union Depot Co. v. Minnesota, &c., R. Co., 47 Minn. 154, 360, 1453
v. St. Paul, 30 Minn. 359, 964, 966, 1104
St. Paul, &c., R. Co., In re., 34 Minn. 227, 952, 954, 964, 1053
St. Paul, &c., R. Co., In re, 36 Minn. 85, 26, 339, 621, 956, 1023
St. Paul, &c., R. Co., In re, 37 Minn. 164, 1119
St. Paul, &c., R. Co. v. Bradbury, 42 Minn. 222, 1059, 1060
v. Covell, 2 Dak. 483, 1035a, 1039
v. Duluth, 73 Minn. 270, 948a
v. Great Western, &c., Co., 27 Fed. 434, 1429a
v. Greenhalgh, 26 Fed. 563, 794
v. Karnes, 101 Ill. 402, 1049
v. McLean, 108 U. S. 212, 654, 655
v. Matthews, 16 Minn. 341, 1028, 1041
v. Minneapolis, 35 Minn. 141, 1019
v. Murphy, 19 Minn. 500, 992, 1035, 1147
v. Northern Pac. R. Co., 139 U. S. 1, 794, 796, 798, 798a, 799
v. Parcher, 14 Minn. 297, 493
v. Robbins, 23 Minn. 439, 109, 113, 155
v. St. Paul, &c., Co., 44 Minn. 325, 359
v. St. Paul, &c., R. Co., 68 Fed. 22, 801
v. St. Paul, 30 Minn. 359, 1104
v. Sage, 49 Fed. 315, 806
v. United States, 112 U. S. 733, 495, 497
v. Winona, &c., R. Co., 112 U. S. 720, 795, 796, 799, 805
St. Paul, &c., Co. v. Great Western, &c., R. Co., 27 Fed. 434, 1540
v. Minneapolis, 35 Minn. 141, 1020, 1023, 1076, 1098, 1100
v. Schurmeier, 7 Wall. (U. S.) 272, 1087
St. Romes v. Levee Steam Cotton Press Co., 127 U. S. 614, 92
St. Tammany Water Works v. New Orleans Water Works, 120 U. S. 64, 968, 1096s
Sala v. Chicago, &c., R. Co., 85 Iowa, 678, 1179
v. New Orleans, 2 Woods (U. S.) 188, 56

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Saldana v. Galveston, &c., R. Co., 43 Fed. 862, 1158
Salem, The City of, 37 Fed. 846, 1671, 1690
Salem, The City of, 2 Inters, Com. R. 418, 1663
Salem Township, In re, Road in, 103 Pa. St. 250, 1043
Salem v. Eastern R. Co., 98 Mass. 431, 718, 926, 1019
v. Henderson, 13 Ind. App. 563, 786
v. Webster, 192 Ill. 369, 1801
Salem Bank v. Gloucester Bank, 17 Mass. 1, 204, 213, 410
Salem First National Bank v. Anderson, 75 Va. 250, 590
Salem Mill, &c., Corp. v. Ropes, 23 Mass. 23, 111a
Salem Mill Dam Co. v. Ropes, 6 Pick. (Mass.) 23, 18, 111
v. Ropes, 9 Pick. (Mass.) 187, 111
Salem Stone Co. v. Griffin, 139 Ind. 141, 1283
Salem Stone, &c., Co. v. Tepps, 10 Ind. App. 519, 1288
Salem Turnpike, &c., v. County of Essex, 100 Mass. 282, 1012
Salem, &c., Co. v. Hobbs, 143 Ind. 146, 1291
v. Lyme, 18 Conn. 451, 968
Salem, &c., R. Co. v. Lake Superior, &c., Co., 112 Fed. 239, 347
Salida v. McKinna, 16 Colo. 523, 1820
Salina Mill, &c., Co. v. Hoyne, 10 Kan. App. 579, 1815
Salinger v. Simmons, 57 Barb. (N. Y.) 513, 1410
Salisbury v. Herchenroder, 106 Mass. 458, 711
v. Metropolitan R. Co., 38 L. J. Ch. 249, 316, 317
v. Metropolitan R. Co., 22 L. T. R. (N. S.) 839, 318
Salisbury Mills v. Townsend, 109 Mass. 115, 80, 94, 310, 615
Salliotte v. King Bridge Co., 122 Fed. 378, 977, 1063
Salmon v. Delaware, &c., R. Co., 38 N. J. Law, 5, 1228
v. New York, &c., R. Co., 5 N. Y. Supp. 225, 1171
v. Richardson, 30 Conn. 360, 231, 282
Salmon, &c., Co. v. Dunn, 2 Idaho, 30, 369
Salomons v. Laing, 12 Beav. 339, 374
Salt Co. v. Brown, 7 W. Va. 191, 961
Salt Lake City v. Hollister, 118 U. S. 256, 340
Salt Lake City Nat. Bank v. Hendrickson, 40 N. J. Law, 52, 185
Salter v. Metropolitan District R. Co., L. R. 9 Eq. 432, 952
v. Rhode Island Co., 27 R. I. 27, 1704
v. Utica, &c., R. Co., 75 N. Y. 273, 1166
v. Utica, &c., R. Co., 88 N. Y. 42, 1160
Saltmarsh v. Planters', &c., Bank, 17 Ala. 761, 55, 612
v. Spaulding, 147 Mass. 224, 224, 276, 491, 535, 604
Saltonstall v. Stockton, 1 Taney (U. S.) 11, 1577, 1644, 1693
Saltus v. Everett, 20 Wend. (N. Y.) 267, 1426, 1571
Samainego v. Stiles, 20 Pac. 607, 179
Sammins v. Wilhelm, 6 Ohio C. C. 565, 1689a
Sammon v. New York, &c., Co., 38 N. Y. Sup. Ct. 414, 1303
Sampayo v. Salter, 1 Mason (U. S. C. C.) 43, 1562
Sample v. Consol, &c., R. Co., 50 W. Va. 472, 1096cl, 1689l
Sampson v. Bowdoinham, &c., R. Co., 36 Me. 78, 164, 262
v. People, 140 Ill. 466, 835, 841
v. People, 141 Ill. 17, 835, 883
v. Shaw, 101 Mass. 1451, 92
Sams v. Port Royal, &c., R. Co., 15 S. Car. 484, 795
v. St. Louis, &c., R. Co., 174 Mo. 53, 6, 1096bw
Samson v. Southern R. Co., 111 Fed. 887, 1589a
Samuel v. Cheney, 135 Mass. 278, 1526, 1535
v. Holladay, 1 Woolw. (U. S.) 400, 192, 259, 263
Samuel M. Lawder & Sons v. Albert Mackie Grocery Co., 97 Md. 1, 1425
Samuels v. Louisville, &c., R. Co., 31 Fed. R. 57, 1467
Samuelson v. Cleveland, &c., Co., 49 Mich. 164, 1063
v. State, 95 S. W. 1012, 728
San Antonio v. Jones, 28 Tex. 19, 45
v. Lane, 32 Tex. 405, 900
v. Mehaffy, 96 U. S. 312, 895b, 897, 898
San Antonio Trac. Co. v. Altgelt, 200 U. S. 304, 746, 1096ah
v. Davis, 101 S. W. 554, 1638, 1836
v. Kumpf, 99 S. W. 863, 1790
v. Lambkin, 99 S. W. 574, 1836
v. Upson, 31 Tex. Civ. App. 50, 1764
v. Williams, 78 S. W. 977, 1757
San Antonio, &c., R. Co., v. Adams, 6 Tex. Civ. App. 102, 1798
v. Barnett, (Tex. Civ. App.) 27 S. W. 676, 1488
v. Barnett, (Tex. Civ. App.) 34 S. W. 139, 1510
v. Barnett, (Tex. Civ. App.) 44 S. W. 20, 567
v. Beam, 50 S. W. 411, 1812
v. Belt, 24 Tex. Civ. App. 281, 1850
v. Bennett, 76 Tex. 151, 1313, 1378
v. Bowles, (Tex.) 30 S. W. 727, 32 S. W. 880, 711
v. Brock, 35 Tex. Civ. App. 155, 1301a
v. Burns, 89 S. W. 21, 724
v. Choate, (Tex. Civ. App.) 35 S. W. 180, 1703
v. Choate, 22 Tex. Civ. App. 618, 1847
v. Clark, 26 Tex. Civ. App. 280, 1214
v. Davis, 30 Tex. 693, 553
v. Dickson, 93 S. W. 481, 1057g
v. Dolan, 85 S. W. 302, 1552, 1713, 1734, 1751
v. Engelhorn, 24 Tex. Civ. App. 324, 1288
v. Gray, 95 Tex. 424, 1155, 1849
v. Green, 20 Tex. Civ. App. 5, 1793
v. Grier, 20 Tex. Civ. App. 138, 1802
v. Gurley, 83 S. W. 842, 1057g
v. Home, &c., Ins. Co., 70 S. W. 999, 1243a
v. Jackson, 85 S. W. 445, 1628, 1841
v. Josey, 71 S. W. 606, 1730

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

San Antonio, &c., R. Co. v. Kiersey, 98 Tex. 590, 1057d, 1057g
v. Kivlin, 98 S. W. 709, 1806
v. Kniffen, 4 Tex. Civ. App. 484, 1828
v. Lester, 84 S. W. 401, 1812
v. Long, (Tex. Civ. App.) 23 S. W. 499, 1226
v. Long, 87 Tex. 148, 1368, 1378b
v. Lynch, 8 Tex. Civ. App. 513, 1580, 1629, 1784
v. Mechler, 87 Tex. 628, 1094, 1096ce, 1096cl
v. Moore, 31 Tex. Civ. App. 371, 1813
v. Muth, 7 Tex. Civ. App. 443, 1689d, 1820
v. Newman, 17 Tex. Civ. App. 606, 1598
v. Parr, (Tex. Civ. App.) 26 S. W. 861, 1296
v. Pratt, 89 Tex. 310, 1745
v. Robinson, 73 Tex. 277, 1644, 1846
v. Robinson, 79 Tex. 608, 1585
v. Ruby, 80 Tex. 172, 1036
v. Skidmore, 27 Tex. Civ. App. 329, 1814
v. State, 79 Tex. 264, 662, 1119
v. Stevens, 83 S. W. 235, 1354
v. Stollets, 49 S. W. 679, 1689d
v. Thompson, 66 S. W. 792, 1724
v. Timon, 99 S. W. 418, 1507
v. Trigo, 101 S. W. 254, 1642a, 1645a, 1840
v. Turner, 94 S. W. 214, 1555
v. Turney, 33 Tex. Civ. App. 626, 1812, 1845
v. Vaughn, 5 Tex. Civ. App. 195, 1849
v. Watziavzick, Tex. Civ. App. 28 S. W. 115, 1096ce
v. Wilson (Texas), 19 S. W. 910, 665
v. Woodley, 20 Tex. Civ. App. 216, 1755
v. Zimon, 99 S. W. 418, 1551
San Antonio, &c., St. R. Co. v. Limberger, 88 Tex. 79, 1089
San Antonio, &c., Co. v. Noll, 83 S. W. 900, 1283
San Bernardino v. Southern, &c., R. Co., 107 Cal. 524, 1664
San Bernardino, &c. v. Atchison, &c., R. Co., 3 Interst. Com. R. 138, 1682, 1684l, 1686
San Bernardino, &c., Co. v. Merrill, 108 Cal. 490, 111a
Sanborn, In re, 148 U. S. 222, 675
Sanborn v. Belden, 51 Cal. 266, 982, 1050
v. Detroit, &c., R. Co., 91 Mich. 538, 1150, 1151a, 1154
v. Lefferts, 58 N. Y. 179, 169
v. Railway Co., 91 Mich. 538, 1158
v. School District, 12 Minn. 17, 265
San Buenaventura, &c., Co. v. Vassault, 50 Cal. 534, 164
Sandberg v. St. Paul, &c., R. Co., 80 Minn. 442, 1179b
Sanderlin v. People's Bank, 140 Fed. 191, 656a
Sanders v. Bromley, 55 L. T. R. (N. S.) 145, 307
v. Illinois Cent. R. Co., 90 Ill. 582, 1837
v. MacLean, L. R. 11 Q. B. Div. 327, 1430
v. Southern Pac. R. Co., (Utah) 44 Pac. 932, 1606
v. Southern R. Co., 107 Ga. 49, 1843
Sanders v. Texas, &c., R. Co., 42 So. 764, 1257
v. Vanzeller, 4 Q. B. 260, 1559
Sanderson v. Cockermouth, &c., R. Co., 11 Beav. 497, 422
v. Frazier, 8 Col. 79, 1163, 1313
v. Northern Pac. R. Co., 88 Minn. 162, 1817
v. Panther Lumber Co., 50 W. Va. 42, 1303a, 1578, 1578a
Sandford v. Poe, 69 Fed. 546, 755
v. Railroad Co., 24 Pa. St. 378, 167, 388, 1468
v. Railroad Co., 43 Ohio St. 571, 1467
v. Sinclair, 8 Paige 373, 539, 556
Sandford Fork, &c., Co. v. Howe, &c., Co., 157 U. S. 312, 600, 604
Sandham v. Chicago, &c., R. Co., 38 Iowa, 88, 1204
San Diego v. San Diego, &c., R. Co., 44 Cal. 106, 275
San Diego, &c., R. Co. v. Jasper, 189 U. S. 439, 1684a, 1684b, 1684d
v. Neale, 78 Cal. 63, 1036
San Diego, &c., Co. v. National City, 174 U. S. 739, 1684b, 1684e
v. Neale, 88 Cal. 50, 994
Sandifers v. Louisville, &c., R. Co., 28 Ky. L. 464, 721
Sands v. Greely, 88 Fed. 130, 555
v. Kagey, 150 Ill. 109, 935
v. Manistee, &c., Co., 123 U. S. 288, 1673
v. Southern R. Co., 108 Tenn. 1, 1581a
Sandwich v. Dolan, 34 Ill. App. 199, 1804
Saner v. Lake Shore, &c., R. Co., (Mich.) 65 N. W. 624 1314
Sanfleet v. Toledo, 10 Ohio, C. C. 460, 1096j
Sanford v. Chicago, &c., R. Co., 2 Mich. N. P. 132, 1042
v. Eighth Ave. R. Co., 23 N. Y. 343, 1096cs, 1175, 1637
v. Kane, 133 Ill. 199, 514
v. Pawtucket St. R. Co., 19 R. I. 537, 1063
San Francisco v. Central Pac. R. R. Co., 63 Cal. 467, 5
v. Scott, 4 Cal. 114, 1015
v. Spring Valley, 48 Cal. 493, 34
San Francisco, &c., Co. v. Alameda Water Co., 36 Cal. 639, 927
v. Dumbarton Land Co., 119 Cal. 272, 1062
San Francisco, &c., R. Co. v. Bee, 48 Cal. 398, 169, 274, 535
v. Caldwell, 31 Cal. 367, 954, 960, 987, 988
v. Gould, 122 Cal. 601, 1029
v. Leviston, 134 Cal. 412, 1029
v. Mahoney, 29 Cal. 112, 930, 986, 1029, 1053
v. Scott, 142 Cal. 222, 6, 745
v. State Board, 60 Cal. 12, 5, 740
v. Stockton (Cal.), 84 Pac. 771, 5, 738a
Sangamon, &c., Co. v. Morgan, 14 Ill. 163, 738, 743b
v. Henry, 14 Ill. 156, 1730
Sanger v. Chesapeake, &c., R. Co., 102 Va. 86, 1182, 1191, 1193
v. Southern, &c., R. Co., 2 Interst. C. R. 548, 1687
v. Upton, 91 U. S. 56, 76, 95, 103, 110, 146, 149

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Sanitary Dist. v. Pittsburgh, &c., R. Co., 216 Ill. 575, 1028
v. Ricker, 91 Fed. 833, 1060
Sanitary Dist. of Chicago v. Chapin, 80 N. E. 1017, 1032a
San Jose v. San Jose, &c., R. Co., 53 Cal. 475, 1082
San Jose Sav. Bank v. Pharis, 58 Cal. 380, 186
San Jose, &c., R. Co. v. Mayne, 83 Cal. 566, 1036, 1036b, 1037
Sankey v. Chicago, &c., R. Co., 118 Ia. 39, 1288a
v. Terre Haute, &c., R. Co., 42 Ind. 1, 820
Sankey Brook Coal Co., In re, L. R. 10 Eq. 381, 496
Sanks v. Chicago, &c., R. Co., 112 Ill. App. 385, 1330
San Mateo v. Sharpstein, 50 Cal. 284, 1050
v. Southern, &c., R. Co., 8 Sawy. (U. S.) 238, 43, 59
v. Southern Pacific R. Co., 13 Fed. R. 722, 771, 775, 1223
San Mateo Co. v. Southern P. R. Co., 7 Sawy. (U. S.) 517, 21
Sanquer v. London, &c., R. Co., 16 C. B. 163, 1531
Santa Ana v. Harlin, 99 Cal. 538, 1036
Santa Barbara v. Southern Pac. R. Co., 18 Fed. R. 385, 772
Santa Clara v. Southern Pac. R. Co., 18 Fed. R. 385, 771
v. Southern Pac. R. R. Co., 118 U. S. 394, 5, 21, 660, 750, 773
Santa Clara, &c., Co. v. Hayes, 76 Cal. 387, 1675
v. Meredith, 49 Md. 389, 204, 276
Santa Cruz R. Co. v. Schwartz, 53 Cal. 106, 111a, 116
v. Spreckles, 65 Cal. 193, 147, 148
Santa Cruz, &c., R. Co. v. Board, &c., Santa Cruz County, 62 Cal. 239, 917
Sante Fe, &c., R. Co. v. Bossut, 10 N. Mex. 322, 1461, 1538
v. Ford, 85 Pac. 1072, 1248
v. Holmes, 202 U. S. 438, 1333
v. Holmes, 136 Fed. 66, 1322
Santa Rosa, &c., R. Co. v. Central St. R. Co. (Cal.) 38 Pac. 986, 606, 607, 1078
Sanxey v. Iowa City Glass Co., 68 Iowa, 542, 521
Sappenfield v. Main St. &c., R. Co., 91 Cal. 48, 1177, 1697
Sappington v. Atlantic, &c., R. Co., 56 S. E. 311, 1817
v. Little Rock, &c., R. Co., 37 Ark. 23, 332, 945
v. Missouri Pac. R. Co., 14 Mo. App. 86, 1245a
Saratoga, The, 20 Fed. 869, 1513
Saratoga, &c., R. Co., In re, 58 Hun, 287, 1119
Sarbecker v. State, 65 Wis. 171, 1414
Sargent, Ex parte, L. R. 17 Eq. Cas. 273, 97
Sargent v. Boston, &c., R. Co., 115 Mass. 416, 1391, 1394, 1453, 1645, 1678
v. Franklin Ins. Co., 8 Pick. (Mass.) 90, 92, 98, 99, 100, 193
v. Gile, 9 N. H. 325, 1525
v. Helton, 115 U. S. 352, 654
v. Kansas Midland R. Co., 48 Kan. 672, 348
Sargent v. Machias, 65 Me. 591, 1000
v. Morris, 3 Barn. & Ald. 277, 1692
v. St. Louis, &c., R. Co., 114 Mo. 348, 1256, 1641
v. Webster, 13 Metc. (Mass.) 497, 164, 262, 263, 272
Sarja v. Great Northern R. Co., 109 N. W. 600, 1209
Sarmiento v. Davis, &c., Co., (Mich.) 68 N. W. 205, 285, 297, 345
Sater v. Burlington, &c., Co., 1 Iowa, 386, 995
Sather v. Chicago, &c., R. Co., 40 Minn. 91, 1198
Satterfield v. Crow, 8 B. Mon. (Ky.) 553, 1025
Satterlee v. Groat, 1 Wend. 272, 1581
Satterwhite v. State, 142 Ind. 1, 736a
Sauer v. Nevadaville, 14 Colo. 54, 625
Sauerhering v. Iron Ridge, &c., R. Co., 25 Wis. 447, 859a, 881, 897
Sauls v. Freeman, 24 Fla. 209, 681
Sault St. Marie Bridge Co. v. Powers, 138 Fed. 262, 738b
Saunders v. Chicago, &c., R. Co., 6 S. Dak. 40, 1644
v. City, &c., R. Co., 99 Tenn. 130, 1096ci
v. New York, &c., R. Co., 144 N. Y. 75, 949
v. Sioux City, &c., Co., 6 Utah, 431, 617
v. Southern Pac. R. Co. (Utah) 44 Pac. 932, 1605, 1608, 1632
v. Southern R. Co., 128 Fed. 15, 1498, 1647, 1649, 1661
v. Southern Pac. Co., 13 Utah, 275, 1702
Sauter v. New York, &c., R. Co., 66 N. Y. 50, 1378
v. New York Cent., &c., R. Co., 6 Hun (N. Y.), 446, 1804
Savage v. Ball, 17 N. J. Eq. 142, 157, 246
v. Bartlett (Md.), 28 Atl. 414, 181
v. Chicago, &c., R. Co., 31 Minn. 419, 1200
v. Nassau Elec. R. Co., 42 App. Div. (N. Y.) 241, 1315h, 1333c
v. Third Ave. R. Co., 51 N. Y. S. 1066, 1096cy
v. Third Ave. R. Co., 29 App. Div. (N. Y.) 556, 1840
Savannah v. Hancock, 91 Mo. 54, 952
v. Hartridge, 8 Ga. 23, 782, 987, 988
v. Kelly, 108 U. S. 184, 875, 876
Savannah Elec. R. Co. v. Millikin, 126 Ga. 722, 1841
Savannah Freight, &c., Bureau v. Charleston, &c., R. Co., 7 I. C. C. 601, 1670c, 1684g
Savannah, &c., Canal Co. v. Suburban, &c., R. Co., 93 Ga. 240, 628
Savannah, &c., R. Co. v. Beavers, 113 Ga. 398, 1259
v. Bonand, 58 Ga. 180, 1627a
v. Boyle, 115 Ga. 836, 1591, 1639
v. Bryan, 86 Ga. 312, 1265, 1638
v. Buford, 106 Ala. 303, 1057
v. Bundick, 94 Ga. 775, 1565, 1566
v. Callahan, 49 Ga. 506, 1070
v. Collins, 77 Ga. 376, 1423
v. Davis, 25 Fla. 917, 794
v. Evans, 121 Ga. 391, 1689d, 1793
v. Flannagan, 82 Ga. 579, 1378a
v. Geiger, 21 Fla. 669, 1180, 1204, 1213, 1689c
v. Goss, 80 Ga. 524, 1321
v. Harris, 26 Fla. 148, 1433, 1435, 1450

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Savannah, &c., R. Co. v. Holland, 82 Ga. 257, 1774
v. Lancaster, 62 Ala. 555, 484, 488, 491, 492, 508, 521
v. McIntosh, 73 Ga. 532, 1658
v. McLeod, 94 Ga. 530, 1378
v. Mayor, 198 U. S. 392, 740, 745a, 767
v. Mayor, 96 Ga. 680, 1019
v. Mayor, 45 Ga. 602 1088, 1096c
v. Meadows, 95 Ala. 137, 1257
v. Pelzer Co., 60 Fed. 39, 1221, 1234, 1235, 1236, 1246
v. Phillips, 90 Ga. 829, 1063
v. Postal Tel. Cable Co., 112 Ga. 941, 975c
v. Postal Tel. &c., Co., 115 Ga. 554, 1022, 1050
v. Pritchard, 77 Ga. 412, 1434, 1435, 1730
v. Savannah, 45 Ga. 602, 1076
v. Savannah, 198 U. S. 392, 772a
v. Shearer, 58 Ala. 672, 1158
v. Shiels, 33 Ga. 601, 41, 966, 1077, 1087
v. Steininger, 84 Ga. 579, 1404
v. Talbot, 123 Ga. 378, 1570
v. Wall, 96 Ga. 328, 1757
v. Wilcox, 48 Ga. 432, 1537, 1544
v. Williams, 117 Ga. 414, 6, 1096bw
v. Woodruff, 86 Ga. 94, 1088
Savannah, &c., Co. v. Shuman, 91 Ga. 400, 642, 643
Savery v. New York, &c., R. Co., 2 Intest. Com. R. 210, 1687
v. New York, &c., R. Co., 2 Interst. Com. 338, 1593
Savitz v. Ohio, &c., R. Co., 150 Ill. 208, 1566
Sawtell v. Western, &c., R. Co., 61 Ga. 567, 1360
Sawyer v. Boston, 144 Mass. 470, 1037
v. Chicago, &c., R. Co., 22 Wis. 402, 1536
v. Cleveland, &c., R. Co., 69 Fed. 211, 1420
v. Dubuque, &c., Co., 77 Iowa, 242, 612
v. Hoag, 17 Wall. (U. S.) 610, 110, 176, 184, 569, 604
v. Hannibal, &c., R. Co., 37 Mo. 240, 1583, 1585, 1587, 1696
v. Joslin, 20 Vt. 172, 1543
v. Landers, 56 Ia. 422, 1003b
v. Manchester & K. Railroad, 62 N. H. 135, 852
v. Norfolk, &c., R. Co., N. C. 54 S. E. 793, 213
v. Perry, 88 Me. 42, 1359, 1361a, 1363
v. Vermont, &c., R. Co., 105 Mass. 196, 663, 668, 1181, 1190
Sax v. Detroit, &c., R. Co., 125 Mich. 252, 298, 1689h
Saxton v. Railroad Co., 139 N. Y. 320, 989
Sayles v. Brown, 40 Fed. 8, 189
v. Northwestern Ins. Co., 2 Curtis (U. S. C. C.), 212, 646
Sayre v. Citizens' Gas &c., Co., 69 Cal. 207, 154
v. Louisville, &c., Assn., 1 Duv. (Ky.) 143, 193, 366
v. New York, &c., R. Co., 3 Duer (N. Y.), 54, 945
v. Tompkins, 23 Mo. 443, 751, 752
Sayward v. Carlson, 1 Wash. St. 29, 1316
Sayward v. Stevens, 3 Gray (Mass.), 97, 1558
Scadding v. Lorant, 3 H. L. Cas. 418, 164
Scagel v. Chicago, &c., R. Co., 83 Iowa, 380, 1269
Scaggs v. Delaware, &c., R. Co., 74 Hun, 198, 1171
Scaling v. Pullman, &c., Co., 24 Mo. App. 29, 1622
Scales v. Pickering, 4 Bing. 448, 38
Scammon v. Kansas City, &c., R. Co., 41 Mo. App. 194, 690, 1671
v. Wells Fargo & Co., 84 Cal. 311, 1426, 1736
Scanlon v. Boston, &c., R. Co., 147 Mass. 484, 1269
Scannell v. Boston, &c., R. Co., 176 Mass. 170, 1096cb
Scarfe v. Morgan, 4 M. & W. 270, 1570
Scarlett v. Academy, 43 Md. 203, 140
Scarritt v. Kansas City, &c., R. Co., 127 Mo. 298, 1008
v. Kansas City, &c., R. Co., 148 Mo. 676, 946c
Schaaf v. Cleveland, &c., R. Co., 66 Ohio St. 215, 1049a, 1096be
Schaar v. Knickerbocker, &c., Co., 149 Ill. 441, 1070
Schackelford v. Louisville, &c., R. Co., 84 Ky. 43, 1257
Schaefer v. East Tenn, &c., R. Co., 76 Ga. 99, 29
v. Railway, 128 Mo. 64, 1628
v. Werling, 188 U. S. 516, 782
Schaeffer v. Missouri Home, &c., Co., 46 Mo. 248, 131
v. Philadelphia, &c., R. Co., 168 Pa. St. 209, 1438, 1516
Schafer v. Long Island, &c., R. Co., 124 N. Y. 630, 1077
Schaghticoke, &c., Co. v. Greenwich, &c., R. Co., 183 N. Y. 306, 1066
Schaible v. Lake Shore, &c., R. Co., 97 Mich. 318, 1315f
Schall v. Cole, 107 Pa. St. 1, 1173
Schaller v. Chicago, &c., R. Co., 97 Wis. 31, 1417, 1516
Schanewerk v. Hoberecht, 117 Mo. 22, 514
Schaper v. Brooklyn, &c., R. Co., 124 N. Y. 630, 7
Scharff v. Meyer, 133 Mo. 428, 1428
Schaub v. Hannibal, &c., R. Co., 106 Mo. 74, 1282, 1314, 1378a, 1795
Schechter v. Denver, &c., R. Co., 8 Colo. App. 25, 1049e
Scheffer v. Justus, 85 Minn. 279, 1336
v. Minneapolis, &c. R. Co., 32 Minn. 518, 1253, 1257, 1378, 1813
v. Southern, &c., R. Co., 105 U. S. 249, 1640, 1817
Scheimer v. Great Northern R. Co., 86 Minn. 245, 1250
Scheiper v. Chicago, &c., R. Co., (Minn.) 63 N. W. 1034, 1630
Schelereth v. Missouri Pac. R. Co., 115 Mo. 87, 1332
Schenck v. Andrews, 57 N. Y. 133, 110
v. Mercer County Mut. Ins. Co., 24 N. J. L. 447, 226
v. Union Pacific R. Co., (Wyo.) 40 Pac. 840, 665
Schenectady R. Co. v. Lyons, 41 Misc. (N. Y.) 506, 1027
Schenectady, &c., Co. v. Thatcher, 11 N. Y. 102, 18, 111a, 141, 886
Schenley v. Commonwealth, 36 Pa. St. 29, 782, 783

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Schepers v. Union, &c., R. Co., 126 Mo. 665, 1096cs, 1581, 1756
Schermeely v. Stillwater, &c., Co., 16 Minn. 506, 1053
Schermerhorn v. McGregor R. Co., 52 N. Y. S. 892, 1105
Schertz v. Indianapolis, &c., R. Co., 107 Ill. 577, 1207
Schetter v. Southern Oregon Co., 19 Ore. 192, 276, 297
Scheu v. Benedict, 116 N. Y. 510, 1398, 1520
Schexnaydre v. Texas, &c., R. Co., 46 La. Ann. 248, 1257, 1589
Schierhold v. North Beach, &c., R. Co., 40 Cal. 447, 1261
Schiffler v. Chicago, &c., R. Co., 96 Wis. 141, 1628
Schild v. Central Park, &c., R. Co., 133 N. Y. 446, 1096cc
Schillinger Bros. Co. v. Smith, 225 Ill. 74, 1318a, 1333a
Schindelholz v. Cullum, 55 Fed. 855, 555
Schippel v. Norton, 38 Kan. 567, 1798
Schipper v. City of Aurora, 121 Ind. 154, 228
Schlaff v. Louisville, &c., R. Co., 100 Ala. 377, 1271
Schleicher v. Interurban St. R. Co., 91 N. Y. S. 356, 1096ch
Schleiger v. Northern Term. Co., 43 Ore. 4, 1368
Schleimger Sons v. Railroad Co., 85 N. Y. S. 372, 1524
Schlemmer v. Buffalo, &c., R. Co., 27 Sup. Ct. 407, 1315l, 1688b
Schlenks v. Central, &c., R. Co., (Ky.) 23 S. W. 589, 1262
Schlereth v. Missouri Pac. R. Co., 115 Mo. 87, 1155, 1782
Schlesinger v. Railway, 152 U. S. 444, 941
v. Stratton, 9 R. I. 578, 1426
Schlichting v. Wintgen, 25 Hun, 626, 1370
Schliermann v. Hammond, &c., Co., 32 N. Y. Supp. 748, 1283
Schlimgen v. Chicago, &c., R. Co., 90 Wis. 186, 1159, 1166
Schloss v. Montgomery Trade Co., 87 Ala. 411, 616
v. Wood, 11 Colo. 287, 1392
Schmeckpepper v. Chicago, &c., R. Co., 116 Wis. 592, 1057f
Schmidlapp v. LaConfiance Ins. Co., 71 Ga. 246, 624
Schmidt, Ex parte, 62 Ala. 252, 1066
Schmidt v. Bauer, 80 Cal. 565, 1250
v. Blood, 9 Wend. (N. Y.) 268, 1567
v. Burlington, &c., R. Co., 75 Iowa, 606, 1163
v. Chicago, &c., R. Co., 90 Wis. 504, 1462, 1464
v. Deegan, 69 Wis. 300, 1376
v. Densmore, 42 Mo. 225, 955, 959
v. Galveston, &c., Co., (Tex. Civ. App.) 24 S. W. 547, 741, 751
v. Gayner, 59 Minn. 303, 576
v. Great Northern, &c., R. Co., 83 Minn. 105, 1179b, 1703
v. Interborough Rapid Trans. Co., 49 Misc. (N. Y.) 255, 1830
v. Louisville, &c., R. Co., 95 Ky. 289, 495
v. MaGill, 120 Pa. St. 412, 1096cp
v. Market St. &c., R. Co., 90 Cal. 39, 787a
v. Milwaukee, &c., R. Co., 23 Wis. 186, 1183, 1260, 1261
Schmidt v. Mitchell, 101 Ky. 570, 158, 243, 550
v. New Orleans R. Co., 116 La. Ann. 311, 1638
v. North Jersey St. R. Co., 66 N. J. L. 424, 1096cy
v. Oregon, &c., Co., 28 Ore. 9, 516
v. Philadelphia, &c., R. Co., 149 Pa. St. 357, 1179j
v. Railroad Co., 191 Mo. 215, 1166
v. St. Louis, &c., R. Co., 149 Mo. 269, 1096cf
v. St. Louis R. Co., 163 Mo. 645, 1096ce
v. Steinway, &c., R. Co., 55 Hun (N. Y.), 496, 1096ce
v. Steinway, &c., R. Co., 132 N. Y. 566, 1096cg
v. Milwaukee St, R. Co., 89 Wis. 195, 1823
v. St. Louis Transit Co., 115 Mo. App. 445, 1096cy
Schmittger v. Old Home, &c., Co., 144 Cal. 603, 349
Schmitz v. St. Louis, &c., R. Co., 46 Mo. App. 380, 1179h
v. St. Louis, &c., R. Co., 46 Mo. App. 380, 1820, 1822, 1828
v. St. Louis, &c., R. Co., 119 Mo. 256, 1157, 1169, 1172, 1793, 1819, 1822
v. Zeh, 91 Minn. 290, 877, 891, 894
Schmolze v. Chicago, &c., R. Co., 83 Wis. 659, 1166, 1175
Schnatz v. Philadelphia, &c., R. Co., 160 Pa. St. 602, 1368
Schneck v. Andrews, 57 N. Y. 133 91
Schneckel v. Pittsburg, &c., Trac. Co., 194 Pa. St. 1096cr
Schneekloth v. Chicago, &c., R. Co., 108 Mich. 1, 1194, 1209
Schneidean v. Pennington, 21 La. Ann. 299, 1726
Schneider v. Evans, 25 Wis. 241, 1451, 1563, 1569
v. Missouri, &c., R. Co., 75 Mo. 295, 1792
v. Mobile, &c., Co., Ala. 40 So. 761, 1096cq
v. North Chicago, &c., R. Co., 80 Ill. App. 306, 1832
v. Northern Pac. R. Co., 81 Minn. 383, 1179b
v. Second Ave. R. Co., 133 N. Y. 583, 1096ck, 1096cu, 1178
Schneir v. Chicago, &c., R. Co., 40 Iowa, 337, 1194, 1201, 1214
Schnur v. Citizens Trac. Co., 153 Pa. St. 29, 1096cb, 1096ce
Schoch v. Winona, &c., R. Co., 55 Minn. 479, 24, 623
Schoener v. Metropolitan St. R. Co., 72 App. Div. 23, 1096ci
Schoenfield v. Milwaukee City R. Co., 74 Wis. 433, 1630
Schoenholtz v. Third Ave. R. Co., 37 N. Y. S. 682, 1096cq
Schoepf, Ex Parte, 74 Ohio St. 1, 1689l
Schoff v. Upper Conn. River, &c., 57 N. H. 110, 1029
Schofield v. Chicago, &c., R. Co., 114 U. S. 615, 1153, 1156, 1160, 1165, 1166, 1168, 1179, 1702
v. Ferrers, 46 Pa. St. 438, 1774
v. Pennsylvania R. Co., 2 Pa. Dist. Ct. R. 57, 923
v. Pennsylvania Co., 112 Fed. 855, 1594

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Schofield v. Pennsylvania, &c., R. Co., 12 Pa. Co. Ct. 122, 41
v. Union Bank, 2 Cranch C. C. (U. S.) 115, 157, 174
Schoick v. Delaware, &c., Co., 20 N. J. L. 249, 1057
Scholefield v. Redfern, 2 Drew & Sm. 173, 307
Scholey v. Central R. Co., L. R. 9 Eq. Cas. 267, 130, 132
Schollenburger, Ex parte, 96 U. S. 369, 24, 621, 621a
Schonhardt v. Pennsylvania R. Co., 216 Pa. St. 224, 985
Schoolcraft v. Louisville, &c., R. Co., 92 Ky. 233, 1360
School Dist. v. Bennett, 52 Ark. 511, 262
v. Bodenhamer, 43 Ark. 140, 918
v. Boston, &c., R. Co., 102 Mass. 552, 1497, 1513, 1694
v. Stone, 106 U. S. 183, 901
Schooling v. St. Louis, &c., R. Co., 75 Mo. 518, 1194, 1211
School Inspectors v. People, 20 Ill. 525, 684
Schooner Bolina, 1 Gall. (U. S.) 75, 715
Schooner Freeman v. Buckingham, 18 How. (U. S.) 182, 1419, 1463.
Schooner "Norway" v. Jensen, 52 Ill. 373, 1307
Schooner Treasurer, The, 1 Sprague (U. S.), 473, 1429
Schooner Volunteer, The, 1 Sumn. (U. S.) 551, 1572
Schoonover v. Hinckley, 48 Iowa, 82, 564, 569
Schreiber v. Chicago, &c., R. Co., 115 Ill. 340, 986, 995, 1003b, 1025
v. Worm, 164 Ind. 7, 1060a
Schreiner v. Great Northern R. Co., 86 Minn. 245, 1190
Schrems v. Pere Marquette R. Co., 108 N. W. 98, 11791
Schreyer v. Turner, &c., Co., (Ore.) 43 Pac. 719, 14
Schrick v. St. Louis, &c., Co., 34 Mo. 423, 196
Schrimper v. Chicago, &c., R. Co., 115 Ia. 35, 1147, 1148
Schrinplin v. Farmers Assn. 123 Ia. 102, 373
Schroeder v. Chicago, &c., R. Co., 41 Iowa, 344, 1344
v. Chicago, &c., R. Co., 47 Iowa, 375, 1355, 1699
v. Chicago, &c., R. Co., 128 Ia. 365, 1697, 1782, 1796
v. Chicago, &c., R. Co., 108 Mo. 322, 1283
v. DeGraff, 28 Minn. 299, 1055
v. Detroit, &c., R. Co., 44 Mich. 387, 1029, 1054
v. Flint, &c., R. Co., (Mich.) 29 L. R. A. 321, 1316, 1318a, 1321
v. Hudson River, &c., Railroad, 5 Duer, 55, 1434, 1435, 1518, 1526
v. Michigan Car Co., 56 Mich. 132, 1288
Schubach v. McDonald, 179 Mo. 163, 728, 1598, 1599
Schubert v. Minneapolis, &c., R. Co., 27 Minn. 360, 1209
Suchhard v. Mayor, 53 N. Y. 202, 996
Schufeldt v. Smith (Mo.), 31 S. W. 1039, 604
Schug v. Chicago, &c., R. Co., 102 Wis. 515, 1155
Schular v. Hudson, &c., R. Co., 38 Barb. 653, 1063
Schulenberg v. Harriman, 21 Wall. 44, 793, 796, 798, 801, 1096z
v. Memphis, &c., R. Co., 67 Mo. 442, 1067
Schulenberg, &c., Co. v. St. Louis, &c., R. Co. (Mo.) 31 S. W. 796, 1089
Schuler v. Israel, 120 U. S. 506, 625
v. Mueller, 193 Ill. 402, 1689f
v. Northern Liberties, &c., R. Co., 3 Wharton (Pa.), 555, 1050
v. Third Ave. R. Co., 1 Misc. (N. Y.) 351, 1773
Schulte v. New Orleans, &c., R. Co., 44 La. Ann. 509, 1095, 1096cq
Schultz v. Bower, 57 Minn. 493, 1057b
v. Chicago, &c., R. Co., 67 Wis. 616, 1290, 1316
v. Chicago, &c., R. Co., 48 Wis. 375, 1316, 1328
v. Pacific, &c., R. Co., 36 Mo. 13, 1587
v. Third Ave. R. Co., 89 N. Y. 242, 1255
Schultze v. Houfes, 96 Ill. 335, 501
v. Missouri Pac. R. Co., 32 Mo. App. 438, 1844
Schulz v. Chicago, &c., R. Co., 57 Minn. 271, 1301a
Schum v. Pennsylvania R. Co., 107 Pa. St. 8, 1155
Schumacher v. Chicago, &c., R. Co., 207 Ill. 199, 1521, 1527, 1567, 1567a
v. Toberman, 56 Cal. 508, 1003, 1003b, 1025
v. St. Paul, &c., R. Co., 46 Minn. 39, 1799
Schur v. Citizens Trac. Co., 153 Pa. St. 29, 1096ce
Schurmeier v. St. Paul, &c., R. Co., 10 Minn. 82, 1049, 1087
Schus v. Powers-Simpson Co., 85 Minn. 447, 1, 1334
Schuster v. Carson, 28 Neb. 612, 1539, 1540
Schut v. Chicago, &c., R. Co., 70 Mich. 433, 660, 670, 1183, 1220
Schuyler v. Thomas, 98 U. S. 169, 819, 842
Schuyler's, &c., Co., In re, 136 N. Y. 169, 555
Schuylkill Nav. Co. v. Decker, 2 Watts, 343, 1000, 1033
Schuylkill, &c., Co. v. Commissioners, 11 Pa. St. 202, 750
v. McDonough, 33 Pa. St. 73, 1056
Schuylkill River, &c., Co. v. Stocker, 128 Pa. St. 233, 1036, 1040a
Schwartz v. Cincinnati St. R. Co., 8 Ohio C. C. 484, 1689h
v. Keystone Oil Co., 153 Pa. St. 283, 576
v. Shull, 45 W. Va. 405, 1799
Schwarz v. Delaware, &c., R. Co., 211 Pa. St. 625, 1157
Schwartzchild, &c., Co. v. Savannah, &c., R. Co., 76 Mo. App. 623, 1526a
Schwede v. Henrich Bros. Brew. Co., 29 Wash. 21, 1077
Schweinforth v. Cleveland, &c., R. Co., 60 Ohio St. 215, 1700
Schweitzer's Adms. v. Citizens, &c., Co., 21 Ky. Law. 608, 1096cm
Schwend v. St. Louis Trans. Co., 105 Mo. App. 534, 1815
Schwenk & Co. v. Strang, 59 Fed. 209, 651
Schwenke v. Union, &c., R. Co., 12 Colo. 341, 1376

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Scioto Valley R. Co. v. Cronin, 38 Ohio St. 122, 1071
Scidmore v. Milwaukee, &c., R. Co., 89 Wis. 188, 1269, 1272
Scipio v. Wright, 101 U. S. 655, 839, 858
Scofield v. Excelsior, &c., Co., 27 Ohio Cir. Ct. 347, 180
v. Lake Shore, &c., R. Co., 2 Interst. Com. R. 67, 1478, 1551
v. Lake Shore, &c., R. Co., 43 Ohio St. 571, 27, 364, 388, 703, 1391, 1393, 1454, 1467, 1564, 1565
Scot v. Turner, 1 Root (Conn.) 163, 714
Scotland, The, 105 U. S. 24, 1663
Scotland County v. Hill, 132 U. S. 107, 819, 918
v. Hill, 140 U. S. 41, 842
v. Missouri, &c., Co., 65 Mo. 123, 747
v. Thomas, 94 U. S. 582, 329, 613, 828, 886
Scothorn v. South, &c., Railway, 8 Exch. 341, 1435, 1437, 1536, 1562
Scott, Ex parte, 66 Fed. 45, 667
Scott v. Avery, 5 H. L. Cas. 811, 1059
v. Bay, 3 Md. 431, 1057
v. Bergen Co. Trac. Co., 63 N. J. L. 407, 1096bt
v. Bergen Co. Trac. Co., 64 N. J. L. 362, 1096c
v. Boston, &c., R. Co., 106 Mass. 468, 1730
v. Central R. Co., 52 Barb. (N. Y.) 45, 86, 305, 310, 319, 320
v. Central, &c., R. Co., 53 Hun, (N. Y.) 414, 1638
v. Chesapeake, &c., R. Co., 43 W. Va. 484, 1801
v. Cleveland, &c., R. Co., 144 Ind. 125, 1453, 1637, 1689c, 1689f
v. Clinton, &c., R. Co., 6 Biss. 529, 389, 495, 497, 498
v. Darby, &c., Co., 90 Iowa, 689 1297
v. DePeyster, 1 Edw. Ch. 513, 278, 291
v. Dublin, &c., R. Co., 11 Irish C. L. 377, 1179
v. Eagle, &c., Co., 7 Paige (N. Y.), 198, 304, 314
v. Eastern R. Co., 90 Minn. 135, 1314
v. Farmers, &c., Bank, 97 Tex. 31, 6
v. Farmers' L. & T. Co., 69 Fed. R. 17, 509, 562
v. Hansheer, 94 Ind. 1, 329, 821, 832, 841, 847, 858, 886
v. Indianapolis, &c., R. Co., 10 Am. & Eng. R. Cas. 189, 994, 996
v. Lasell, 71 Iowa, 180, 1010
v. Lewis, 2 Cromp. M. & R. 289, 1544
v. Libby, 2 Johns. 336, 1473
v. London Docks Co., 3 Hurl. & C. 596, 1290
v. London Docks Co., 11 L. T. Rep. (N. S.), 383, 1249
v. Lord Ebury, 36 L. J. C. P. 161, 13, 353
v. McDonald, 165 U. S. 58, 1547
v. Middletown, &c., R. Co., 86 N. Y. 200, 227, 228
v. Midland, &c., R. Co., 33 U. C. Q. B. 580, 1560
Scott v. Orbison, 21 Ark. 202, 1075
v. Oregon R. Co., 14 Ore. 211, 1296, 1301
v. Pequonnock Nat. Bank, 15 Fed. R. 494, 98
v. Pettit, 3 Bos. & P. 469, 1519
v. St. Paul, &c., R. Co., 21 Minn. 322, 972, 995, 1006
v. Stetler, 128 Ind. 385, 420
v. Texas, &c., Co., 41 Fed. 225, 649
v. The Ira Coffee, 2 Fed. 401, 1463
v. Third Ave. R. Co., 16 N. Y. Supp. 350, 1095
v. Toledo, 36 Fed. R. 385, 771, 951, 980
v. William B. Grimes, &c., Co. 48 Mo. App. 521, 1543
Scott County v. Ring, 29 Minn. 398, 680
Scottish Northeastern R. Co. v. Stewart, 3 Macqueen, 382, 340, 341
Scovell v. St. Louis, &c., R. Co., 117 La. Ann. 459, 1000
Scovill v. Cleveland, 1 Ohio St. 126, 825
v. Thayer, 105 U. S. 143, 87, 88, 89, 91, 110, 146, 155, 181, 747
Scoville v. Canfield, 14 Johns. 338, 710
Scowden v. Erie R. Co., 28 Pa. Super. Ct. 15, 945, 1209
Scranton v. Delaware, &c., Canal Co., 12 Pa. Co. Ct. Rep. 283, 628
v. Wheeler, 179 U. S. 141, 976, 977, 980a, 1663
Scranton Gas Co. v. Northern Coal, &c., Co., 192 Pa. St. 80, 960, 962
Scranton, &c., Trac. Co. v. Delaware, &c., Canal Co., 180 Pa. St. 636, 151
Screven v. Clark, 48 Ga. 41, 568
Scribner v. Allen, 12 Minn. 148, 751
Scripps v. Reilly, 35 Mich. 371, 1704
Scripture v. Francestown, &c., Co., 50 N. H. 571, 98
Scrutchfield v. Choctaw, &c., R. Co., 88 Pac. 1048, 978
Scudder v. Jones, 134 Ind. 547, 1019
v. Trenton, &c., Co., 1 N. J. Eq. 694, 950, 951
v. Union Nat. Bank, 91 U. S. 406, 1494
Scull Co. v. Atlantic, &c., R. Co., 56 S. E. 876, 1878
Scully v. New York, &c., R. Co., 80 Hun (N. Y.), 197, 1792
Sea Beach R. Co. v. Coney Island, &c., R. Co., 22 App. Div. N. Y. 447, 1096j
Seaboard, The, 119 Fed. 375, 1509
Seaboard Air Line R. Co. v. Bradley, 125 Ga. 193, 1830
v. Florida, 203 U. S. 261, 693, 1662c, 1670a
v. Olive, 55 S. E. 263, 49, 631, 931, 934a, 954
v. O'Quin, 124 Ga. 357, 1637, 1637a, 1801
v. Smith, 43 So. 235, 1792
v. Wright, 41 So. 461, 1198
Seaboard, &c., R. Co. v. Joyner, 92 Va. 334, 1253, 1257
v. Railroad Com., 155 Fed. 792, 1688c
v. Vaughan, 104 Va. 113, 1179d, 1250
v. Woodson, 94 Ala. 143, 1349, 1353
Seal v. Northern, &c., R. Co., 1 Pears (Pa.), 108, 1046

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Seale v. Baker, 70 Tex. 283. 282
v. Gulf, &c., R. Co., 65 Tex. 274, 1247
Seale v. State, 126 Ga. 644, 1668
Seaman v. Adler, 37 Fed. 268, 1558
Seaman v. Enterprise Fire Ins. Co., 18 Fed. R. 250, 168
Seamans v. Delaware, &c., R. Co., (Pa. St.) 34 Atl. 568, 1701
Searight v. Payne, 2 Tenn. Ch. 175, 190
Searl v. School Dist., 124 U. S. 197, 646, 1010a
Searle v. Kanawha, &c., R. Co., 32 W. Va. 370, 1378a
v. Lackawanna, &c., R. Co., 33 Pa. St. 57, 994, 995
v. Laverick, L. R. 9 Q. B. 122, 1587
v. Railway Co., 32 W. Va. 370, 1585
Searles v. Alabama, &c., R. Co., 69 Miss. 186, 1448
v. Jacksonville, &c., R. Co., 2 Woods (U. S.) 621, 511, 512, 541, 557
v. Manhattan R. Co., 101 N. Y. 661, 1696
v. Mann, &c., Co., 45 Fed. 330, 1617, 1620
v. Milwaukee, &c., R. Co., 35 Iowa, 490, 1209
v. Smith Grain Co., 80 Miss. 688, 1429a
Sears v. Central, &c., R. Co., 53 Ga. 630, 1303
v. Crocker, 184 Mass. 586, 1096a
v. Eastern, &c., R. Co., 14 Allen, 433, 1281, 1593, 1595
v. Railroad, 96 Mass. 433, 1627a
v. Seattle, &c., R. Co., 6 Wash. 227, 1096cw, 1704, 1792
v. Wills, 4 Allen (Mass.) 212, 1572
v. Wingate, 3 Allen (Mass.), 103, 1419
Searsburgh Turn. Co. v. Cutler, 6 Vt. 315, 173
Seaside El. R. Co., Matter of, 83 Hun, 143, 995
Seats v. Georgia, &c., R. Co., 86 Ga. 811, 1374
Seattle v. Columbia, &c., R. Co., 6 Wash. 379, 903, 1082a
v. Kelleher, 195 U. S. 351, 782
v. Yesler, 1 Wash. Ter. 571, 789
Seattle, &c., Ry. Co., In re, 61 Fed. R. 541, 567
Seattle, &c., R. Co. v. Bellingham Bay, &c., R. Co., 29 Wash. 491, 974, 1054
v. Corbett, 22 Wash. 189, 997
v. Gilchrist, 4 Wash. 509, 996, 1035, 1036
v. Murphine, 4 Wash. 448, 1035, 1035a
v. Roeder, 30 Wash. 244, 995, 1036, 1039, 1040, 1040a
v. Schelke, 3 Wash. 625, 995
v. State, 7 Wash. 150, 965, 1117, 1119, 1128, 1134
Seaver v. Boston, &c., R. Co., 14 Gray, 466, 1578
Seavey v. Transit Co., 106 Wis. 394, 1457a
Seavly v. Central, &c., Co., 111 Mass. 540, 1338
Seawell v. Carolina Cent. R. Co., 133 N. Car. 515, 1689l
v. Kansas City, &c., R. Co., 119 Mo. 224, 690, 705, 1564
v. Raleigh, &c., R. Co., 106 N. Car. 270, 1204
Secomb v. Milwaukee, &c., R. Co., 49 How. (N. Y.) Pr. 75, 950, 954, 963, 1009, 1055
Secomb v. Railroad Co., 23 Wall. (U. S.) 108, 923, 951, 953, 1009, 1019, 1021, 1046a, 1053
Second Ave. Church, Matter of, 66 N. Y. 395, 782
Second Ave. R. Co. v. Mehrbach, 49 N. Y. Super. Ct. 267, 287, 355
Second Case of Walters, 3 DeG. & Sm. 244, 95
Second Nat. Bank v. Hall, 35 Ohio St. 158, 190, 619
v. New York, &c., Co., 11 Fed. 532, 606
Second Street, Extension of, 23 Pa. St. 346, 969
Second Ward Bank v. Upmann, 12 Wis. 499, 538
v. Green, 3 Phila. (Pa.) 430, 1084, 1096au
v. Morris, 8 Phila. (Pa.) 304, 1093
Secor v. Toledo, &c., R. Co., 7 Biss. (U. S.) 513, 565, 575, 633
v. Toledo, &c., R. Co., 10 Fed. 15, 1628, 1628c, 1630
Secord v. Chicago, &c., R. Co., 107 Mich. 540, 1296
v. St. Paul, &c., R. Co., 18 Fed. R. 221, 222, 223, 1290, 1388, 1629
Security Bank v. Luttgen, 29 Minn. 363, 1426, 1429a
Security Co. v. Hartford, 61 Conn. 89, 76
v. Pratt, 65 Conn. 161, 653
Security National Bank v. St. Croix Power Co., 117 Wis. 211, 373
Security Sav., &c., Assn. v. Moore, 151 Ind. 174, 555
Security Trust Co. v. Wells-Fargo, &c., Co., 178 N. Y. 620, 1532
Security, &c., Co. v. West Chicago, &c., R. Co., 91 Ill. App. 332, 1368
Sedalia v. Missouri, &c., R. Co., 17 Mo. App. 105, 1046a, 1053
Sedalia, &c., R. Co. v. Abell, 17 Mo. App. 645, 111a
v. Wilkerson, 83 Mo. 235, 102, 113
Sedgwick v. Cottingham, 54 Iowa, 512, 1426
v. Menck, 6 Blatch. (U. S.) 166, 553
See v. Heppenheimer (N. J. L.), 61 Atl. 843, 10, 12, 183
v. Wabash R. Co., 123 Ia. 443, 1097, 1176, 1177
Seefeld v. Chicago, &c., R. Co., 67 Wis. 96, 1006, 1036, 1040
v. Chicago, &c., R. Co., 70 Wis. 216, 1167
Seele v. Boston, &c., R. Co., 187 Mass. 248, 1096ch, 1096ci
Seeley v. Missouri, &c., R. Co., 39 Fed. 252, 624
v. New York Exchange Bank, 8 Daly (N. Y.), 400, 87
v. San Jose, &c., Co., 59 Cal. 22, 286
Seeligson v. Brown, 61 Tex. 114, 80, 97, 98
Seely v. Sebastian, 4 Ore. 25, 952
Seery v. Gulf, &c., R. Co., 34 Tex. Civ. App. 89, 1283
Seese v. Northern Pac. R. Co., 39 Fed. 487, 1267
Seeton v. Dunbarton, 72 N. H. 269, 1804
Seewell v. Kansas City, &c., R. Co., 119 Mo. 222, 1671

Digitized by Google

[References are to Sections—Vol. I, §§ 1–656a; Vol. II, §§ 657–1075; Vol. III, §§ 1076–1390; Vol. IV, §§ 1391–1851.]

Segal v. Railway Co., 35 Tex. Civ. App. 517, 1577a, 1591c
Segar v. Barkhamsted, 22 Conn. 290, 1818
Seibert v. Lewis, 122 U. S. 284, 918
v. Minneapolis, &c., R. Co., 52 Minn. 148, 509, 521, 528
v. Minneapolis, &c., R. Co., 52 Minn. 246, 509, 511, 512, 514, 528
v. Missouri Pac. R. Co., 188 Mo. 657, 1114
v. Misouri, &c., R. Co., 72 Mo. 565, 1207
Seifert v. Brooks, 34 Wis. 443, 1019, 1021, 1047
Seifred v. Pennsylvania R. Co., 206 Pa. St. 399, 1157
Seigel v. Eisen, 41 Cal. 109, 1096cz
Seignouret v. Home Insurance Co., 24 Fed. 332, 87
Selby v. Wilmington, &c., R. Co., 113 N. Car. 588, 1512, 1551
Selden v. Delaware, &c., Canal Co., 29 N. Y. 634, 949, 1004
v. Jacksonville, 28 Fla. 558, 976, 1091, 1092, 1096d
Seldomridge v. Chesapeake, &c., R. Co., 46 W. Va. 569, 1288, 1298a
Seley v. Southern Pacific R. Co., 6 Utah, 319, 1272
Seligman v. Armijo, 1 N. Mex. 459, 1458
v. Laussy, 60 Ga. 20, 584
Sellars v. Foster, 27 Neb. 118, 1378, 1813
v. Richmond, &c., R. Co., 94 N. Car. 654, 473, 1129
Selleck v. Janesville, 100 Wis. 157, 1804
v. Lake Shore, &c., R. Co., 58 Mich. 195, 1799
v. Lake Shore, &c., R. Co., 93 Mich. 375, 1179e
Sellen v. Norman, 4 C. & P. 80, 223
Seller v. Market St. R. Co., 139 Cal. 267, 1096cz
v. Steamship Pacific, 1 Ore. 409, 1420, 1497, 1507
Sellers v. Beaver, 97 Ind. 111, 856, 872
v. Greer, 172 Ill. 549, 14
v. Savannah, &c., R. Co., 123 Ga. 386, 1525
Selma St. R. Co. v. Owen, 132 Ala. 420, 1096ck, 1759
Selma, &c., R. Co., Ex parte, 45 Ala. 696, 107, 814, 863, 874, 917
Selma, &c., R. Co. v. Anderson, 51 Miss. 829, 127
v. Butts, 43 Ala. 385, 1443
v. Camp, 45 Ga. 180, 992, 1028
v. Fleming, 48 Ga. 514, 1218
v. Gammage, 63 Ga. 604, 1006, 1041
v. Harbin, 40 Ga. 706, 334, 335, 338
v. Keith, 53 Ga. 178, 988, 993, 994, 1005, 1036, 1037, 1049
v. Knapp, 42 Ala. 480, 1038
v. Lacey, 49 Ga. 106, 1373
v. Redwine, 51 Ga. 470, 995
v. Roundtree, 7 Ala. 670, 106
v. Tipton, 5 Ala. 787, 109, 149, 150, 176, 244
Selman v. Gulf, &c., R. Co., 101 S. W. 1030, 1833, 1841
Selvege v. St. Louis, &c., R. Co., (Mo.) 36 S. W. 652, 1669
Selwart v. Railroad Co., 8 Ohio, N. P. 179, 581
Selway v. Holloway, 1 Ld. Rayd. 46, 1410, 1462
Semel v. New York, &c., R. Co., 9 Daly (N. Y.), 321, 721, 1158
Semple v. Glenn, 91 Ala. 245, 157
v. Cleveland, &c., R. Co., 172 Pa. St. 369, 416
v. Langlade, 75 Wis. 354, 751b
Seneca Road Co. v. Auburn, &c., R. Co., 5 Hill, 170, 1101
Seney v. Wabash, &c., R. Co., 150 U. S. 310, 582
Sengfelder v. Mutual L. Ins. Co., 5 Wash. St. 121, 616
Senior v. Ward, 1 El. & El. 385, 1271, 1374
Senn v. Southern R. Co., 124 Mo. 621, 1262
v. Southern R. Co., 108 Mo. 142, 1096ce, 1689l, 1700
Senour v. Matchett, 140 Ind. 636, 736a
Sepetowski v. Transit Co., 102 Mo. App. 110, 1096cq
Sercomb v. Catlin, 128 Ill. 556, 555, 570
Serensen v. Northern, &c., R. Co., 45 Fed. R. 407, 1359, 1371
Serfina v. Galveston, &c., R. Co., 42 S. W. 142, 1247
Serrell v. Oakland Probate Judge (Mich.), 65 N. W. 107, 1014
Serwe v. Northern Pac. R. Co., 48 Minn. 78, 1823
Seska v. Chicago, &c., R. Co., 77 Iowa, 137, 1242
Settle v. St. Louis, &c., R. Co., 127 Mo. 336, 1278, 1296
Setzler v. Pennsylvania, &c., R. Co., 112 Pa. St. 56, 1005
Seventh Nat. Bank v. Shenandoah Iron Co., 35 Fed. R. 436, 605
Severin v. Cole, 38 Iowa, 463, 1003, 1023, 1025
Severn, &c., R. Co. v. Great Western R. Co., 5 Ry. & Canal Tr. Cas. 170, 1684
Sevier v. Birmingham, &c., Co., 92 Ala. 258, 222, 223
v. Vicksburg, &c., R. Co., 61 Miss. 8, 1577, 1621, 1628
Sewage Co. v. Hartmont, 5 Ch. Div. 394, 11
Sewall v. Boston Water-power Co., 86 Mass. 277, 79
v. Brainerd, 38 Vt. 364, 487
v. Cohoes, 11 Hun (N. Y.), 626, 1177
v. Eastern R. R. Co., 9 Cush. (Mass.) 5, 87
v. St. Paul, 20 Minn. 511, 781
Seward v. Beach, 29 Barb. (N. Y.) 239, 713
v. Rising Sun, 79 Ind. 351, 79
v. Vera Cruz, L. R. 10 App. 59, 1361
v. Wilmington, 2 Marv. (Del.) 189, 1798
Sewell's Case, L. R. 3 Ch. 131, 87
Sewell v. Burdick, 52 L. T. R. 445, 1428
v. Cape May, &c., R. Co., 30 Am. & Eng. R. Cas. 155, 544, 586
v. East Cape May Co., 50 N. J. Eq. 717, 342, 606
Sewickley, &c., Church's Appeal, 165 Pa. 475, 784
Sexton v. Metropolitan St. R. Co., 40 App. Div. 26, 1096cy
v. North Bridgewater, 116 Mass. 200, 995, 1036, 1037
v. West Roxbury, &c., R. Co., 188 Mass. 139, 1096bo
Seybell v. National, &c., Bank, 2 Daly (N. Y.), 383, 484
Seybert v. City of Pittsburg, 1 Wall. (U. S.) 272, 875

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Selbold v. Terre Haute, &c., R. Co., 18 Ind. App. 367, 1105, 1112
Selbolt v. New York, &c., R. Co., 95 N. Y. 562, 1504, 1578
Seymour v. Canandaigua, &c., R. Co., 25 Barb. (N. Y.) 284, 4, 497
v. Detroit Rolling Mills, 56 Mich. 117, 251
v. Jeffersonville, &c., R. Co., 126 Ind. 466, 41, 966, 1104
v. Long Dock Co., 20 N. J. Eq. 396, 1060
v. Maddox, 16 Q. B. 326, 1269, 1271, 1288, 1689a
v. Newton, 105 Mass. 272, 1540, 1543
v. Spring Forest, &c., Assn., 19 N. Y. Supp. 94, 481
v. Spring Forest, &c., Assn., 144 N. Y. 333, 12, 13, 14, 275, 276, 484
v. Thomas Harrow Co., 81 Ala. 250, 616
v. Sturgess, 26 N. Y. 134, 133
S. F. Dana & Co. v. Blackburn, 90 S. W. 237, 656a
Shaaber v. Reading, 150 Pa. St. 402, 1000a
Shaber v. St. Paul, &c., R. Co., 28 Minn. 103, 1114, 1156, 1157, 1160, 1170
Shackelford v. New Orleans, &c., R. Co., 37 Miss. 202, 260, 272, 276
v. Dangerfield, L. R. 3 C. P. 407, 141
v. Louisville, &c., R. Co., 84 Ky. 43, 1160
v. Mississippi Cent. R. R. Co., 52 Miss. 159, 334, 336, 338
v. Wilcox, 9 La. 33, 1423
Shackt v. Railroad Co., 94 Tenn. 658, 1481, 1491, 1510
Shadd v. Georgia, &c., R. Co., 116 N. Car. 968, 1296
Shadford v. Detroit, &c., R. Co., 130 Mich. 300, 329
Shafer v. Moriarity, 46 Ind. 9, 179
Shaffers v. General, &c., Navigation Co., L. R. 10 Q. B. D. 356, 1352, 1353
Shahan v. Alabama, &c., R. Co., 115 Ala. 181, 1057f
Shainwald v. Lewis, 8 Fed. 878, 561
v. Lewis, 108 U. S. 158, 650
Shakelford v. Shakelford, 32 Gratt. (Va.) 481, 586
Shakopee, &c., Co., In re, 37 Minn. 91, 18
Shamberg v. Board of Riparian Com'rs. 72 N. J. 132, 965a
v. Delaware, &c., R. Co., 3 Int. Com. 502, 1680, 1684c
v. New Jersey, &c., R. Co., 72 N. J. L. 140, 965a, 1030b
Shamblin v. New Orleans, &c., Co., 114 La. Ann. 467, 1633
Shamokin Valley R. Co. v. Livermore, 47 Pa. St. 465, 495, 497
v. Malone, 85 Pa. St. 25, 612
Shanahan v. St. Louis Transit Co., 109 Mo. App. 228, 1096cv, 1808
Shand v. Grant, 15 Com. B. (N. S.) 324, 1561
Shandrew v. Chicago, &c., R. Co., 142 Fed. 320, 1728, 1795, 1796
Shane v. Mexican International R. Co., 8 Tex. Civ. App. 441, 621a
Shanfelter v. Mayor, 80 Md. 483, 1698
Shanklin v. Brown, 102 App. Div. (N. Y.) 473, 1061
Shanks v. Springfield Trac. Co., 101 Mo. App. 702, 1096de
Shankweiler v. Baltimore, &c., R. Co., 148 Fed. 195, 1275, 1308
Shannon v. Boston, &c., R. Co., 78 Me. 52, 1579, 1642
v. Hanks, 88 Va. 338, 558, 561
v. Jefferson Co., 125 Ala. 384, 1361
v. Union R. Co., 63 Atl. 488, 1303a
Shapleigh v. San Angelo, 167 U. S. 646, 918a
Sharon R. Co., Appeal of, 122 Pa. St. 533, 74, 964, 967, 974, 1119
Sharp v. Clark, 13 Utah, 510, 1536
v. Erie R. Co., 184 N. Y. 100, 1265
v. Glushing, 96 N. Y. 676, 1157
v. Grey, 9 Bing, 457, 1587
v. Johnson, 4 Hill (N. Y.), 92, 1041
v. Kansas City Cable Co., 114 Mo. 94, 1096cu
v. Mayor, &c., 40 Barb. 256, 918
v. New Orleans, &c., R. Co., 111 La. Ann. 395, 1628a
v. Powell, L. R. 7 C. P. 253, 1584
v. Teese, 9 N. J. Law, 352, 381
Sharpe v. Arnott, 51 Cal. 188, 505
v. Dawes, 46 L. J. Q. B. 104, 161, 606
v. San Paulo, &c., R. Co., 27 L. T. R. 699, 1059
v. San Paulo Railway Co., L. R. 8 Ch. 597, 1059, 1060
v. United States, 112 Fed. 893, 992
v. Witham, 65 Ill. 566, 1008
Sharpless v. Mayor, 21 Pa. St. 147, 1, 4, 107, 662, 814, 1467, 1565
Shatto v. Erie R. Co., 121 Fed. 678, 1167
Shattuck v. Cox, 97 Ind. 242, 1544
v. North British, &c., Ins. Co., 58 Fed. 609, 647
v. Stoneham Branch R. Co., 6 Allen (Mass.), 115, 1036, 1037, 1038
v. Wilton R. Co., 23 N. H. 269, 1006
Shaubut v. St. Paul, &c., R. Co., 21 Minn. 502, 1086
Shaver v. Pennsylvania Co., 71 Fed. 931, 1382
v. Starrett, 4 Ohio St. 494, 952
Shaw v. Bill, 95 U. S. 10, 495, 497
v. Boston, &c., R. Co., 8 Gray (Mass.), 45, 1156, 1827
v. Boston, &c., R. Co., 159 Mass. 597, 1086
v. Chicago, &c., R. Co., 82 Iowa, 100, 1219
v. Davis (Md.), 28 Atl. 619, 165
v. Dennis, 10 Ill. 405, 825
v. Gardner, 12 Gray (Mass.), 488, 1423
v. Great Southern, &c., R. Co., 8 L. R. Ir. 10, 1546, 1548, 1551a
v. Great Western R. Co., L. R. (1894) 1 Q. B. 373, 1513
v. Independent School Dist. 77 Fed. 277, 898
v. Jewett, 86 N. Y. 616, 1158
v. Little Rock, &c., R. Co., 100 U. S. 605, 508, 536, 589
v. Manchester R. Co., 73 N. H. 65, 1301a, 1333c
v. Manhattan Ave. R. Co., 35 Misc. (N. Y.) 47, 1008
v. Merchants' Nat. Bank, 8 W. N. C. (Pa.) 221, 1423
v. New York, &c., R. Co., 79 N. E. 984, 1036a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Shaw v. Norfolk, &c., R. Co., 5 Gray (Mass.), 162, 67, 493, 501, 508, 514, 545, 549, 843, 862, 958, 1003
v. Norfolk County R. Co., 16 Gray, 107, 249, 334
v. Northern Pacific R. Co., 40 Minn. 144, 1651
v. Quincy Mining Co., 145 U. S. 444, 24, 621, 628
v. Railroad, 101 U. S. 557, 1415, 1428, 1429, 1430, 1523
v. Railroad Co., 100 U. S. 605, 509, 529, 533, 590
v. St. Louis, &c., R. Co., 110 Mo. App. 561, 1214
v. Seaboard, &c., R. Co., 55 S. E. 713, 1628b, 1628c
v. South Carolina R. Co., 5 Rich. L. (S. Car.) 462, 1737
v. Spencer, 100 Mass. 382, 79, 94
v. York, &c., R. Co., 13 Q. B. 347, 1478, 1694
Shawhan v. Zinn, 79 Ky. 300, 620
Shawmut Bank v. Plattsburgh, &c., R. Co., 31 Vt. 491, 38, 41, 374
Shay v. Camden, &c., R. Co., 66 N. J. L. 334, 1831
v. Terolumie, &c., Co., 6 Cal. 73, 237
Shea v. Boston, &c., R. Co., 154 Mass. 31, 1315, 1349
v. Mabry, 1 Lea (Tenn.), 319, 281, 374
v. Minneapolis, &c., R. Co., 63 Minn. 228, 1500, 1510, 1510a, 1516, 1709
v. Potrero, &c., Co., 44 Cal. 414, 1094, 1096cb
v. Railroad Co., 66 Minn. 102, 1449
v. St. Paul, &c., R. Co., 50 Minn. 395, 1005, 1096bq
v. Sixth Ave. R. Co., 62 N. Y. 180, 1096dc
v. Wellington, 163 Mass. 364, 1338, 1353
Shealey v. South Carolina R. Co., 67 S. Car. 61, 1628, 1838
v. Chicago, &c., R. Co., 72 Wis. 471, 1113
Shearer v. Buckley, 31 Wash. 370, 1689l
v. Pacific, &c., Co., 43 Ill. App. 641, 1453
v. R. S. Peele & Co., 9 Ind. App. 282, 610
Shebek v. National Cracker Co., 120 Ga. 414, 1288a
Sheboygan Co. v. Parker, 3 Wall. 93, 839, 891
Shed v. Shed, 3 N. H. 432, 409
Shedd v. Troy, &c., R. Co., 40 Vt. 88, 1593, 1598
Sheedy v. Chicago, &c., R. Co., 55 Minn. 357, 1278
Sheehan v. Good Samaritan, &c., 50 Mo. 155, 781, 782, 784
v. New York, &c., R. Co., 91 N. Y. 332, 1321
v. St. Paul, &c., R. Co., 76 Fed. 201, 1257
Sheehy v. Kansas City, &c., R. Co., 94 Mo. 574, 977, 978
Sheeler v. Chesapeake, &c., R. Co., 81 Va. 188, 1221, 1271, 1271a
Sheerman v. Toronto, &c., Co., 34 Up. Can. Q. B. 451, 221
Sheets v. Chicago, &c., R. Co., 139 Ind. 682, 1272, 1277, 1280, 1311, 1314, 1766
Sheets v. Connelly St. R. Co., 54 N. J. L. 518, 1095, 1172, 1261
v. Ohio River R. Co., 39 W. Va. 475, 1602
v. Wilgus, 56 Barb. (N. Y.) 662, 1559
Sheets Lumber Co., In re, 52 La. Ann. 1337, 584
Sheffer v. Railway Co., 22 Ky. L. 1305, 1628a
Sheffey v. Lewisburg Bank, 33 Fed. 315, 501
Sheffield v. Collins, 3 Ga. 82, 949
Sheffield, &c., Co. v. Hull, &c., Co., 101 Ala. 446, 1425
v. Unwin, L. R. 2. C. B. Div. 214, 251
Sheffield, &c., R. Co., v. Woodcock, 7 Mees. & W. 574, 134
Shelbury v. Scotsford, Yelv. 23, 1537
Shelby v. Chicago, &c., R. Co., 143 Ill. 385, 632
Shelby County v. Jarnagin (Tenn.), 16 S. W. 1040, 898
v. Union, &c., Bank, 161 U. S. 149, 741a, 915
Shelby County Ct. v. Cumberland, &c., R. Co., 8 Bush (Ky.), 209, 843, 863, 894, 918
Shelby R. Co. v. Louisville & N. R. Co., 145 U. S. 409, 868
Shelbyville v. Cleveland, &c., R. Co., 146 Ind. 66, 724, 1082, 1114a
Shelbyville R. Co. v. Louisville, &c., R. Co., 82 Ky. 541, 1412, 1452
Shelbyville, &c., Turnp. Co. v. Green, 99 Ind. 205, 977
Sheldon v. Boston, &c., R. Co., 172 Mass, 180, 976, 977a
v. Hudson River, &c., R. Co., 14 N. Y. 218, 1168, 1221, 1243, 1243a
v. Minneapolis, &c., R. Co., 29 Minn. 318, 992, 1028, 1029
Sheldon, &c., Co. v. Eickemeyer, &c., Co., 90 N. Y. 607, 227, 251, 373
Sheldon v. Robinson, 7 N. H. 157, 1726
Shellabarger v. Chicago, &c., R. Co., 66 Iowa, 18, 1184
Shellenberg v. Fremont, &c., R. Co., 45 Neb. 487, 1466, 1544, 1692
Sheley v. Detroit, 45 Mich. 431, 783
Shellenberger v. Altoona, &c., R. Co., 212 Pa. St. 413, 484
Shellington v. Howland, 53 N. Y. 371, 178, 179, 188
Shelton v. Banks, 10 Gray (Mass.), 401, 16
Shelly v. Guy, 11 Wheat. 361, 768
v. Philadelphia, &c., R. Co., 211 Pa. St. 160, 1243
Shelton v. Erie R. Co., 66 Atl. 403, 1593, 1594, 1594a, 1785
v. Lake Shore, &c., R. Co., 29 Ohio St. 214, 1594, 1602
v. Louisville, &c. R. Co., 19 Ky. L. 215, 1630, 1633
v. Mayor, 30 Ala. 540, 193
v. Merchants' D. T. Co., 36 N. Y. S. C. 527, 1409
v. Merchants' D. T. Co., 59 N. Y. 258, 1423, 1502, 1520, 1522
v. Platt, 139 U. S. 591, 751
v. Railroad Co., 29 Ohio St., 214, 1594
Shenandoah Val. &c., R. Co. v. Clark Co., 78 Va. 269, 741
v. Griffith, 76 Va. 913, 98, 601, 626
v. Moose, 83 Va. 827, 1845

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Shenandoah, &c., R. Co. v. Lucado, 86 Va. 390, 201, 1283, 1294
Shenk v. Philadelphia, &c., Propellor Co., 60 Pa. St. 109, 1464, 1517, 1523
Shenners v. West Side R. Co., 78 Wis. 382, 1095
Shepard v. Be Bernales, 13 East, 565, 1559
v. Boston, &c., R. Co., 158 Mass. 174, 1290, 1298, 1329, 1352, 1353
v. Buffalo, &c., R. Co., 35 N. Y. 641, 1186, 1188, 1192, 1196, 1209
v. Chicago, &c., R. Co., 77 Ia. 54, 1848
v. East Orange, 70 N. J. L. 203, 1096j
v. Manhattan R. Co., 169 N. Y. 160, 1049c
v. Missouri, &c., R. Co., 85 Mo. 629, 1699
v. Northern, &c., R. Co., 63 Hun, 634, 1280
v. Northwestern Life Ins. Co., 40 Fed. R. 341, 794, 795, 796, 801
v. Suffolk, &c., R. Co., 140 N. Car. 391, 934a, 938
Shepardson v. Milwaukee, &c., R. Co., 6 Wis. 605, 1049, 1050, 1051
v. Rowland, 28 Wis. 108, 934
Shepaug Voting Trust Cases, 60 Conn. 553, 159, 479, 1058
Shepherd's Case, L. R. 2 Eq. 564, 92
Shepherd v. Baltimore, &c., R. Co., 130 U. S. 426, 1001a 1057, 1096cc
v. Bradstreet Co., 65 Fed. 142, 654, 655
v. Naylor, 5 Gray (Mass.), 591, 1420
v. Pepper, 133 U. S. 626, 517
Shepley v. Atlantic, &c., R. Co., 55 Me. 395, 67, 488, 493, 501, 514, 958
v. Cowan, 91 U. S. 330, 798, 810
Sheppard v. Newhall, 54 Fed. 306, 1539, 1540, 1541, 1543
Sheridan v. Atchison, &c., R. Co., 56 Mo. App. 68, 1142, 1143
v. Baltimore, &c., R. Co., 101 Md. 50, 1169
v. Brooklyn City R. Co., 36 N. Y. 39, 1096cz, 1639
v. New Quay, &c., Co., 4 Com. B. (N. S.) 618, 1537
Sheridan Electric Light Co. v. Chatham, &c., Bank, 127 N. Y. 517, 257
v. Chatham Nat. Bank, 52 Hun (N. Y.), 575, 347, 373
Sherley v. Billings, 8 Bush (Ky.), 147, 1638, 1639
v. Mattingly, 21 Ky. L. 289, 384
Sherlock v. Alling, 93 U. S. 99, 667, 1358e, 1360, 1378, 1668, 1670
v. Alling, 44 Ind. 184, 1378b
v. Chicago, &c., R. Co., 85 Mo. App. 46, 1649
v. Kansas City, &c., R. Co., 142 Mo. 172, 1077, 1096ao
v. Louisville, &c., R. Co., 115 Ind. 22, 401, 948, 1007, 1057d
v. Winnetka, 68 Ill. 530, 880
Sherman v. Anderson, 27 Kan. 333, 1190
v. Buick, 32 Cal. 241, 952, 971
v. Chicago, &c., R. Co., 34 Minn. 259, 1288
v. Chicago, &c., R. Co., 40 Iowa, 45, 1598
v. Commercial Printing Co., 29 Mo. App. 31, 213
v. Delaware, &c., R. Co., 71 Vt. 325, 1298a
v. Hannibal, &c., R. Co., 72 Mo. 62, 1255, 1259, 1305
v. Hudson River R. Co., 64 N. Y. 254, 1527, 1730
v. Leonard, 10 R. I. 469, 751
v. Maine Central, &c., R. Co., 86 Me. 422, 1235
v. Menominee, &c., Co., 77 Wis. 14, 1299, 1689f, 1696
v. Milwaukee, &c., R. Co., 40 Wis. 645, 986, 1004, 1048, 1049
v. Pennsylvania Co., 1 Fed. 226, 1459
v. Rochester, &c., R. Co., 17 N. Y. 153, 1329
v. St. Paul, &c., R. Co., 30 Minn. 227, 994, 1036, 1038
v. Wells, 28 Barb. (N. Y.) 403, 1401
Sherman County v. Simmons, 109 U. S. 735, 900
Sherman, &c., R. Co. v. Bell, 58 S. W. 147, 1772
v. Bridges, 16 Tex. Civ. App. 64, 1179e
Sherman, &c., Co. v. Morris, 43 Kan. 282, 373
v. Swigart, 43 Kan. 292, 283, 285
Shermerhorn v. Hudson River, &c., R. Co., 38 N. Y. 103, 1196
v. Mt. McGregor, &c., R. Co., 52 N. Y. S. R. 892, 1101, 1105
Sherrard v. Lafayette County, 3 Dill. 236, 900
Sherrill v. Chesapeake, &c., R. Co., 89 Ky. 302, 622
v. Weisiger, &c., Co., 114 N. Car. 436, 229
Sherry v. Perkins, 147 Mass. 212, 633, 1688
Sherwood v. Atlantic, &c., R. Co., 94 Va. 291, 526, 533, 930
v. Chicago, &c., R. Co., 82 Mich. 374, 1800, 1818, 1820
v. Lafayette, 109 Ind. 411, 1003, 1003b
v. Meadow Valley, &c., Co., 50 Cal. 412, 79
v. New York, &c., R. Co., 86 Hun, 556, 1720
v. Saginaw, &c., R. Co., 53 Mich. 317, 1061
v. St. Paul, &c., R. Co., 21 Minn. 127, 992, 993, 994, 1037, 1038, 1041, 1042
v. St. Paul, &c. R. Co., 21 Minn. 122, 935, 985, 1041
v. Whiting, 54 Conn. 330, 409
Shetter v. Ft. Worth, &c., R. Co., 30 Tex. Civ. App. 536, 1153
Shewalter v. Pirner, 55 Mo. 218, 353
Shick v. Pennsylvania R. Co., 1 Pears. (Pa.) 264, 985
Shickle v. Watts, 94 Mo. 410, 91, 103, 110, 182
Shickle, &c., Co. v. Wiley, &c. Co., 61 Mich. 226, 621
Shields v. Casey. 155 Pa. St. 253, 103
v. Clifton, &c., Co., 94 Tenn. 123, 13

Digitized by Google

[*References are to Sections—Vol I,* §§ 1-656a; *Vol. II,* §§ 657-1075; *Vol III,* §§ 1076-1390; *Vol. IV,* §§ 1391-1851.]

Shields v Coleman, 157 U. S. 168, 553, 564
v. Louisville, &c., R. Co., 97 Ky 103, 1799
v. Norfolk, &c. R. Co., 129 N. Car. 1, 968a
v. Ohio, 95 U. S. 319, 56, 335, 606, 613, 747, 1096ad
v. Yonge, 15 Ga. 349, 1359
Shillaber v. Robinson, 97 U. S 68, 514
Shimer v. Eastern, &c., R. Co., 205 Pa. St. 648, 989
Shinkle v. Louisville, &c., R. Co., 62 Fed. R. 690, 1672
Shinner v. Ft. Wayne, &c., R. Co., 58 Fed. 55, 98
Shinners v. Proprietors, &c., 154 Mass. 168, 1349
Shinney v. North American, &c., Co., 97 Fed. 9, 555
Ship v. Crosskill, L. R. 10 Eq. Cas. 73, 127
Ship Howard v. Wissman, 18 How. (U. S.) 231, 1420, 1481
Shipley v. Baltimore, &c., R. Co., 34 Md. 336, 987, 988
v. Continental, &c., R. Co., 13 Phila. (Pa.) 128, 6
v. Mechanics' Bank, 10 Johns. (N. Y.) 484, 98
v. Pittsburgh, &c., R. Co., Pa. St. 65 Atl. 1094, 1003a
v. Terre Haute, 74 Ind. 297, 869, 873, 1065
v. Western Maryland, &c., R. Co., 99 Md. 115, 1049a
Shipman v. Aetna Insurance Co., 20 Conn. 245, 93
Shipper v. Pennsylvania R. R. Co., 47 Pa. St. 338, 340, 1391, 1466
Shippy v. Village of Au Sable, 85 Mich. 280, 1262
Shirk v. La Fayette, 52 Fed. R. 857, 501
v. Thomas, 121 Ind. 147, 1025
v. Wabash R. Co., 14 Ind. App. 126, 1169, 1172, 1179b, 1261
Shirley v. Waco Tap. R. Co., 78 Tex. 131, 497, 530
Shively v. Bowlby, 152 U. S. 1, 980a
v. Lankford, 174 Mo. 535, 1012
Shivers v. Wilson, 5 Harr & John. 130, 684
Shober v. Lancaster, &c., Assn., 68 Pa. St. 429, 102
Shockley v. Fisher, 75 Mo. 498, 146, 184, 602
Shoemaker v. Kingsbury, 12 Wall. 369, 1393, 1573
v. Sonju, 108 N. W. 42, 1774
v. United States, 147 U. S. 282, 952, 980, 983, 995, 1015
Sholl v. German Coal Co., 118 Ill. 427, 952, 960, 961
Shoninger v. Day, 53 Mo. App. 147, 1543
Shorb v. Beaudry, 56 Cal. 446, 613
Shores v. Southern R. Co., 72 S. C. 244, 468
Shores Lumber Co. v. Starke, 100 Wis. 498, 1729
Short v. Baltimore Pass. R. Co., 50 Md. 73, 1096ap
v. Chicago, &c., R. Co., 34 Fed. 225, 651
v. Chicago, &c., R. Co., 33 Fed. 114, 645, 651
v. New Orleans, &c., R. Co., 69 Miss. 848, 1297, 1689f, 1697
v. Stevenson, 63 Pa. St. 95, 13
Short, &c., R. Co. v. Hodapp, 83 Pa St. 22, 1526a
Shorter v. Rome, 52 Ga. 621, 898
v. Smith, 9 Ga. 517, 32
Shortle v. Louisville, &c., Co., 130 Ind. 505, 1007
v. Terre Haute, &c., R. Co., 131 Ind. 338, 937, 1109
Shotwell v. Smith, 3 Edw. Ch. (N. Y.) 588, 546
Shover v. Myrick, 4 Ind. App. 7, 1378
Shrainka v. Rohan. 18 Mo. App. 340, 1069
Shreveport v. Cole, 129 U. S. 36, 1360
v. Shreveport Belt R. Co., 107 La. Ann. 785, 5
v. Shreveport, &c., Co., 104 La. Ann. 260, 787a, 1096am
Shrewsbury v. North Staffordshire R. Co., L. R. 1 Eq. 593, 14
Shrewsbury R. Co. v. Chester R. Co., 14 L. T. 217, 547
Shrewsbury, &c. R. Co. v. London, &c., R. Co., 17 Q. B. 652, 366
v. London, &c., R. Co., 2 Mac. & G. 324, 1675
v. Northwestern R. Co., 6 H. L. Cas. 113, 341, 493
v. Stour Valley R. Co., 21 Eng. L. & Eq. 628, 324
v. Stour Valley, &c., R. Co., 2 De G. M. & G. 866, 335, 393
Shriver v. Sioux City, &c., R. Co., 24 Minn. 506, 1450, 1457, 1516
Shroeder v. Detroit, &c., R. Co., 44 Mich. 387, 957
Shropshire Union R. &c., Co. v. Queen, L. R. 7 H. L. 496, 94
Shrunk v. President, &c., Schuylkill Nav. Co., 14 Serg. & R. (Pa.) 71, 976
Shubrick v. Salmond, 3 Burr. 1637, 1473
Shuettgen v. Wisconsin, &c., R. Co., 80 Wis. 498, 1270
Shufelt v. Flint, &c., R. Co., 96 Mich. 327, 1167, 1179
Shugart v. Atlantic, &c., R. Co., 133 Fed. 505, 1306, 1330
Schultz v. Chicago, &c., R. Co., 40 Wis. 589, 1267a
Shuman v. Indianapolis, &c., R. Co., 11 Ill. App. 472, 1205
Shumway v. Walworth, &c., Co., 98 Mich. 411, 1321
Shureman v. Chicago, &c., R. Co., 88 Mo. App. 183, 1552
Shurley v. New York, &c., Co. (Pa. St.) 15 Atl. 567, 1181
Shurtz v. Schoolcraft & T. R. R. Co., 9 Mich. 269, 18, 111a
Shuster v. Philadelphia, &c., R. Co., 62 Atl. 689, 1318
Shute v. Chicago, &c., R. Co., 26 Ill. 436, 1049
Shyrock v. Bashore, 82 Pa. St. 159, 603
Siacik v. Northern Cent. R. Co., 92 Md. 213, 1096cl
Sias v. Rochester R. Co., 169 N. Y. 118, 1636
Sibilrud v. Minneapolis, &c., R. Co., 29 Minn. 58, 1226, 1244
Sibley v. Mobile, 3 Woods, 535, 833
v. Nason, 81 N. E. 887, 1808
v. New Orleans, &c., Co., 49 La. Ann. 588, 1096cz, 1636
v. Quinsigamond Nat. Bank, 133 Mass. 515, 98
v. Smith, 46 Ark. 275, 1699
Sicardi v. Keystone Oil Co., 149 Pa. St. 148, 604
Sichler v. Look, 93 Cal. 600, 506

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Sickles v. Missouri, &c., R. Co., (Tex. Civ. App.) 35 S. W. 493, 1584, 1696
v. Missouri, &c., R. Co., 13 Tex. Civ. App. 434, 1633
Siddall v. Pacific Mills Co., 162 Mass. 378, 1283
Sidekum v. Wabash, &c., R. Co., 93 Mo. 400, 1816
Sidenbender v. Charles, 4 Serg. & R. (Pa.) 151, 381
Sidener v. Norristown, &c., Turnp. Co., 23 Ind. 623, 1049
Sides v. Portsmouth, 59 N. H. 24, 1092
Sidman v. Richmond, &c., R. Co., 3 Interst. Com. R. 512, 1600
Sidney, &c., Co. v. Bird, L. R. 31 Ch. Div. 328, 10
Siebe v. Joshua, &c., Co., 86 Cal. 390, 283
Siebert v. Rosser, 24 Minn. 150, 806, 809
Siebold, Ex parte, 100 U. S. 371, 667
Siebrecht v. Pennsylvania R. Co., 21 Misc. (N. Y.) 615, 1744
Siegel v. Eisen, 41 Cal. 109, 1096cp
v. New York, &c., R. Co., 200 U. S. 615, 1057a
v. New York, &c., 62 App. Div. (N. Y.) 290, 996e, 1049a
Siek v. Toledo, &c., R. Co., 9 Ohio C. D. 1, 1096cq
Siela v. Hannibal, &c., R. Co., 82 Mo. 430, 1278
Sies v. Rochester R. Co., 169 N. Y. 118, 1096cv
Siffken v. Wray, 6 East, 371, 1540
Siford's Case, 11 Coke, 46, 389
Sights v. Louisville, &c., R. Co., 117 Ky. 436, 1157
Sika v. Chicago, &c., R. Co., 21 Wis. 370, 1209
Sikes v. State (Tex.), 28 S. W. 688, 734
Silberman v. Clark, 96 N. Y. 522, 1425
Silberstein v. Houston, &c., R. Co., 117 N. Y. 293, 1096ce
v. Houston, &c., R. Co., 52 Hun, N. Y. 611, 1096cp
Silk Mfg. Co. v. Campbell, 27 N. J. L. 539, 167, 618
Sill v. Village of Corning, 15 N. Y. 297, 677
Silliman v. Fredericksburg, &c., R. Co., 27 Gratt. (Va.) 119, 49, 220, 484, 486, 489
Sills v. Ft. Worth, &c. R. Co., 28 S. W. 908, 1788, 1796
Silsby v. Michigan Car. Co., 95 Mich. 204, 1809
Silver v. Kansas City, &c., Co., 78 Mo. 528, 1181, 1186, 1188
v. Kent, 60 Miss. 124, 1742
v. Missouri Pac. R. Co., 101 Mo. 79, 459, 966
Silver Creek, &c., Co. v. Mangum, 64 Miss. 682, 996
Silver Hook R. v. Greene, 12 R. I. 164, 135, 224, 225, 258
Silverman v. St. Louis, &c., R. Co., 51 La. Ann. 1785, 1734, 1737
Silver Springs, &c., R. Co. v. Van Ness, 45 Fla. 559, 944, 946a
Silverthorne v. Warren R. Co., 33 N. J. L. 173, 642
Silsby v. Lyle, 117 Mich. 327, 1096m
Simeone v. Lindsay, 65 Atl. 778, 1800, 1808
Simis v. New York R. Co., 1 Misc. (N. Y.) 179, 1594a
Simkins v. Norwich, &c., S. Co., 11 Cush. 102, 1423
Simmonds v. New York, &c., R. Co., 52 Conn. 264, 1223, 1229, 1231
Simmons v. Law, 3 Keyes (N. Y.), 217, 1522
v. Mumford, 5 R. I. 472, 751
v. New Bedford, &c., Co., 97 Mass. 361, 1096dc
v. Norfolk, &c., Co., 113 N. C. 147, 49
v. Oregon R. Co., 41 Ore. 151, 1096cr
v. Poughkeepsie, &c., R. Co., 37 N. Y. S. 532, 1200
v. Taylor, 38 Fed. 682, 484
v. Oregon R. &c., Co., 41 Ore. 151, 1582, 1629
v. Railway, 120 Ga. 225, 1628
Simmons Hardware Co. v. Waibel, 1 So. Dak. 488, 540
Simms v. Pullman, &c., Co., Fed. Cas. No. 12869a, 1616
v. South Carolina R. Co., 26 S. Car. 490, 1279, 1296, 1394
v. South Carolina R. Co., 27 S. Car. 268, 1628a
Simon v. Sevier, &c., Co., 54 Ark. 58, 262, 602
v. Steamship Fung Shuey, 21 La. Ann. 363, 1505
Simone v. Rhode Island Co., 66 Atl. 202, 1817
Simons v. Great Western R. Co., 18 C. B. 805, 1495
v. Mining Co., 61 Pa. St. 202, 11
v. Southwestern R. Bank, 5 Rich. Eq. (S. C.) 270, 94
v. Vulcan Oil, &c., Co., 61 Pa. St. 202, 11, 13, 274, 275, 440
Simonson v. Chicago, &c., R. Co., 49 Iowa, 87, 1378, 1814
v. Thompson, 25 Minn. 450, 797
Simpson v. Building Assn. 38 Ohio St. 349, 372
v. Denison, 10 Hare, 51, 435
v. Dubous, 126 Ind. 322, 1539
v. Jersey City, &c., Co., 165 N. Y. 193, 626
v. Kansas City, 111 Mo. 237, 1032
v. London, &c., R. Co., 1 Q. B. Div. 274, 1733
v. Moore, 30 Barb. (N. Y.) 637, 304, 307
v. New York, &c., R. Co., 19 J. & S. (N. Y.) 419, 1060
v. New York, &c., R. Co., 38 N. Y. Supp. 341, 1649
v. Ottawa, &c., R. Co., 1 Ch. Chamb. R. (Can.) 126, 539, 540
v. Pennsylvania R. Co., 210 Pa. St. 101, 1809
v. Reynolds, 71 Mo. 594, 182
v. Westminster Hotel Co., 8 H. L. Cas. 712, 359
Simpson Co. v. Louisville, &c., R. Co., 19 S. W. 665, 903
Sims v. Adams, 78 Ala. 395, 556
v. Hines, 121 Ind. 534, 1053
v. Metropolitan St. R. Co., 65 App. Div. 270, 1096cv
v. Ohio River, &c., R. Co., 56 S. Car. 30, 937
v. St. Louis, &c., R. Co., 116 Mo. App. 572, 1179b
v. Street R. Co., 37 Ohio St. 556, 107, 250, 276, 281
Sinai v. Louisville, &c., R. Co., 71 Miss. 547, 1057f

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Sinclair v. Learned, 51 Mich. 335, 527a
Siner v. Great Western R. Co., L. R. 4 Exch. 123, 1689h
Singer v. St. Louis, &c., R. R. Co., 6 Mo. App. 427, 485, 492, 493
v. St. Louis, &c., R. Co., 119 Mo. App. 112, 1822
Singer Mfg. Co. v. McCollock, 24 Fed. R. 667, 530
Singer Sewing Machine Co. v. Union, &c. Co., 1 Holmes (U. S.), 253, 936
Singer, &c., Co. v. Elizabeth, 42 N. J. L. 249, 831
Singerly v. Fox, 75 Pa. St. 112, 563, 568, 569
Single v. Supervisors, 38 Wis. 364, 843
Singleton v. Eastern, &c., R. Co., 7 Com. B. (N. S.) 287, 1190, 1270
v. Pacific R. Co., 41 Mo. 465, 1696
v. Southwestern R. Co., 70 Ga. 464, 38, 70, 385, 467
Sinia v. Louisville, &c., R. Co., 71 Miss. 547, 1005
Sinking Fund Cases, 99 U. S. 700, 56, 57, 613, 812
Sinnett v. Moles, 38 Iowa, 25, 127, 871, 879
Sinnickson v. Johnson, 17 N. J. Law, 129, 979
Sinnot v. Davenport, 22 How. 227, 756, 1671
Sinnott v. Railroad Co., 104 Tenn. 233, 1597
Sinram v. Pittsburgh, &c., R. Co., 28 Ind. 244, 1180
Siordet v. Hall, 4 Bing. 607, 1457, 1481
v. Hall, 1 Stra. 128, 1457
Sioux City v. Weare, 59 Iowa, 95, 818
Sioux City, &c., Land Co. v. Griffey, 72 Iowa, 505, 796
v. Griffey, 143 U. S. 32, 804
Sioux City, &c., R. Co. v. Chicago, &c., R. Co., 117 U. S. 406, 805
v. Chicago, &c., R. Co., 27 Fed. R. 770, 921, 922, 927
v. Countryman, 159 U. S. 377, 800
v. Finlayson, 16 Neb. 578, 1312
v. First Nat. Bank, 10 Neb. 556, 303, 1416, 1419
v. Osceola Co., 43 Iowa, 318, 808
v. Osceola Co., 45 Ia. 168, 888
v. Sioux City, 138 U. S. 98, 668, 1096r, 1096am
v. Sioux City, 78 Iowa, 367, 1092
v. Sioux City R. Co., 78 Ia. 742, 1096ai, 1096an
v. Smith, 22 Neb. 775, 1329
v. United States, 159 U. S. 349, 800
v. Weimer, 16 Neb. 272, 1037
Sioux Falls v. Kirby (S. Dak.), 60 N. W. 156, 665
Sioux, &c., Co. v. Trust Co., 82 Fed. 124, 426, 455
Sira v. Wabash, &c., R. Co., 115 Mo. 127, 1577, 1591, 1596, 1637
Sisco v. Lehigh, &c., R. Co., 145 N. Y. 296, 1269, 1271a, 1290
Sisson v. Railroad Co., 14 Mich, 489, 1724
Sites v. Knott, 197 Mo. 684, 1151a
Sitgreaves v. Farmers, &c., Bank, 49 Pa. St. 359, 97
Sixth Avenue R. Co. v. Kerr, 45 Barb. (N. Y.) 138, 963, 964, 972, 975, 1096u
v. Kerr, 72 N. Y. 330, 1096ad, 1096au
Sjoberg v. Nordin, 26 Minn. 501, 681
Sjoli v. Dreschel, 199 U. S. 564, 796, 799
Skegness, &c., Tramways Co., In re, 41 Ch. D. 215, 14
Skelton v. Bliss, 7 Ind. 77, 806
Skiddy v. Atlantic, &c., R. Co., 3 Hughes (U. S.) 320, 508
Skidekum v. Wabash, &c., R. Co., 93 Mo. 400, 1704
Skidmore v. West Virginia, &c., R. Co., (W. Va.) 23 S. E. 713, 1290
Skilling v. Bollman, 73 Mo. 665, 1429
Skilton v. Roberts, 129 Mass, 306, 527
Skinker v. Butler Co., 112 Mo. 332, 880
Skinner v. Atchison, &c., R. Co., 39 Fed. R. 188, 1638
v. Chicago, &c., R. Co., 12 Iowa, 191, 1532
v. Dayton, 19 Johns. (N. Y.) 513, 186
v. Ft. Wayne, &c., R. Co., 58 Fed. 55, 98
v. Hall, 60 Me. 477, 1435, 1445
v. London, &c., R. Co., 5 Ex. 787, 1635
v. London, &c., R. Co., 15 Jur. 289, 476
v. Lucas, 68 Mich. 424, 564
v. Maxwell, 66 N. Car. 45, 538, 539, 563, 565, 574
v. Nixon, 7 Jones L. (N. Car.) 342, 1052
v. Smith, 134 N. Y. 240, 348, 604
Skip v. Eastern, &c., R. Co., 24 Eng. L. & Eq. R. 396, 1292
Skipp v. Eastern Counties, &c., R. Co., 9 Exch. 223, 1288, 1314
Skipper v. Seaboard, &c., R., 55 S. E. 454, 1668, 1670
Skottowe v. Oregon, &c., R. Co., 22 Ore. 430, 1641
Skowhegan Bank v. Cutler, 49 Me. 315, 98
Skowhegan, &c., R. Co. v. Kinsman, 77 Me. 370, 111a, 115
Skrainka v. Allen, 76 Mo. 384, 90
v. Scharringhausen, 8 Mo. App. 522, 388
Skyrme v. Occidental, &c., Co., 8 Nev. 219, 1073
Slack v. Harris, 200 Ill. 96, 1304
v. Maysville, &c., R. Co., 13 B. Mon. 1, 818, 819, 821, 833, 849, 873, 907
Slade v. Van Vechten, 11 Paige, 21, 276
Slater v. Burlington, &c., R. Co., 71 Iowa, 209, 1174
v. Jewett, 85 N. Y. 61, 1276, 1281, 1294, 1328
v. Mexican, &c., R. Co., 194 U. S. 120, 1365, 1366
v. Northern Pac. R. Co., 2 Interst. Com. R. 243, 1612
v. South Carolina R. Co., 29 S. Car. 96, 1455, 1516
Slater Woolen Co. v. Lamb, 143 Mass. 420, 452
Slatten v. Des Moines, &c., R. Co., 29 Iowa, 148, 42, 1057, 1113, 1573
Slattery v. O'Connell, 153 Mass. 94, 1262
v. O'Connell, 10 L. R. A. 653, 1261
v. Railroad Co., 23 Ind. 81, 1276, 1318
v. St. Louis, &c., R. Co., 91 Mo. 217, 620
v. Toledo, &c., R. Co., 23 Ind. 82, 1768

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Slaughter v. Metropolitan St. R. Co., 116 Mo. 269, 1773
v. Nashville, &c., R. Co., 91 S. W. 744, 656a
Slaughter House Cases, 16 Wall. 36, 664, 1096t, 1668
Slavens v. Northern Pac. R. Co., 97 Fed. 255, 1332
v. Southern Pac. R. Co., 51 Mo. 308, 24
v. South Pacific Railroad Co., 51 Mo. 308, 623
Slayden v. Seip, 25 Mo. App. 439, 310, 315
Slayton v. West End St. R. Co., 174 Mass. 55, 1096cc
Sleade v. Payne, 14 La. Ann. 453, 1520, 1522, 1527
Sleat v. Fagg, 5 Barn. & Ald. 342, 1440, 1515
Sleath v. Wilson, 9 Car. & P. 607, 214
Slee v. Bloom, 5 Johns. Ch. (N. Y.) 366, 55, 180, 538
v. Bloom, 19 Johns. (N. Y.) 456, 151, 606, 608
v. Bloom, 20 Johns. (N. Y.) 669, 180
Sleeper v. Goodwin, 67 Wis. 577, 179, 186, 188
v. Pennsylvania R. Co., 100 Pa. St. 259, 1593, 1599
Slemmons v. Thompson, 23 Ore. 215, 98
Slette v. Great Northern R. Co., 53 Minn.341, 1316
Slim v. Great Northern, &c., R. Co., 14 C. B. 647, 1627
v. Great Northern, &c., R. Co., 23 L. J. C. P. 166, 1407
Slipher v. Earhart, 83 Ind. 173, 78, 115
Sloan v. Carolina, &c., R. Co., 126 N. Car. 487, 1528
v. Central R. Co., 62 Iowa, 728, 225, 302, 576, 577, 1305, 1341
v. Georgia, &c., R. Co., 86 Ga. 15, 1280, 1282, 1314
v. Pacific R. R. Co., 61 Mo. 24, 2, 663, 664
v. St. Louis, &c., R. Co., 58 Mo. 220, 1473
Sloane v. Anderson, 117 U. S. 275, 650, 650a
v. Peoples' El. R. Co., 7 Ohio C. C. 84, 1096k
v. Railroad Co., 137 N. Y. 595, 989
v. Southern Cal. R. Co., 111 Cal. 668, 1594, 1817, 1823, 1837
Slocum's Appeal, 12 W. N. C. (Pa.) 84, 923
Slocum v. Fairchild, 7 Hill, 292, 1445
v. Neptune Twp. 58 N. J. L. 595, 1054
v. Warren, 10 R. I. 112, 175
Sloman v. Great Western R. Co., 6 Hun, 546, 1649, 1650, 1660
Sloniker v. Great Northern R. Co., 76 Minn. 306, 1251
Sloop v. Wabash, &c., R. Co., 93 Mo. App. 605, 1730
Sloss Iron, &c., Co. v. South Carolina R. Co., 85 Fed. 133, 526
Slossen v. Burlington, &c., R. Co. (Iowa) 10 N. W. 860, 1244
v. Burlington, &c., R. Co., 60 Iowa, 215, 1237 1243a, 1244
Sluder v. St. Louis Transit Co., 189 Mo. 107, 1174
Sly v. Union Depot R. Co., 134 Mo. 681, 1832
Small v. Chicago, &c., R. Co., 50 Iowa, 338, 1182, 1183, 1213, 1214, 1242
v. Chicago, &c., R. Co., (Iowa) 6 Cent, L. J. 310, 1224
v. Georgia, &c., R. Co., 87 Ga. 602, 960, 1025
v. Herkimer, &c., Co., 2 N. Y. 330, 150, 151
v. Lawrenceburg, &c., Co., 128 Ind. 231, 751
v. Minneapolis, &c., Co., 45 Minn. 264, 634
v. Saloy, 42 La. Ann. 183, 92
Smalley v. Atlantic, &c., R. Co., 73 S. C. 572, 473, 1114c
v. Renken, 85 Iowa, 612, 505
v. Southern R. Co., 57 S. Car. 243, 1253, 1257, 1763
Smallwood v. Baltimore, &c., R. Co., 64 Atl. 732, 1578a
Smart v. Louisiana, &c., Co., 47 La. Ann. 869, 1291
v. Portsmouth, &c., R. Co., 20 N. H. 233, 1008, 1033, 1051, 1055
Smead v. Indianapolis, &c., R. Co., 11 Ind. 104, 480, 481
v. Lake Shore, &c., R. Co., 58 Mich. 200, 1184
Smedis v. Brooklyn, &c., R. Co., 88 N. Y. 13, 1084, 1093, 1096at, 1159
Smedley v. Erwin, 51 Pa. St. 445, 953
v. Hestonville, &c., R. Co., 184 Pa. St. 620, 1815, 1820
v. St. Louis, &c., R. Co., (Mo. App.) 93 S. W. 295, 1096cm
Smelser v. Wayne, &c., Turnp. Co., 82 Ind. 417, 619
Smethport R. Co. v. Pittsburg R. Co., 203 Pa. St. 176, 1108
Smiley v. St. Louis, &c., R. Co., 160 Mo. 629, 1815, 1833
Smith's Appeal, 69 Pa. St. 474, 412
Smith's Estate, 140 Pa. St. 344, 307
Smith v. Abair, 87 Mich. 62, 1647, 1650a
v. Adams, 130 U. S. 167, 675
v. Alabama, 124 U. S. 465, 44, 667, 668, 724, 1358e, 1663, 1668
v. Allison, 23 Ind. 366, 116, 121
v. Alvord, 63 Barb. 415, 264
v. American Coal Co., 7 Lans. (N. Y.) 317, 98
v. American Exp. Co., 108 Mich. 572, 1438, 1455, 1500, 1508, 1516
v. Armour, &c., Co., 84 S. W. 675, 1767
v. Arnold, 106 Mass. 269, 383
v. Atchison, &c., R. Co., 25 Kan. 738, 1262
v. Atchison, &c., R. Co., 87 S. W. 1052, 1315a
v. Atchison, &c., R. Co., 64 Fed. 272, 160
v. Atchison, &c., R. Co., 97 S. W. 1007, 1637, 1816, 1820
v. Atlantic, &c., R. Co., 25 Ohio St. 91, 1012
v. Baker, 42 Hun, 504, 93
v. Bank of the State, 18 Ind. 327, 246
v. Birmingham, &c., R. Co., 41 So. 307, 1096cs, 1845
v. Bivens, 56 Fed. 352, 980
v. Boston, 7 Cush. 254, 1086
v. Boston, &c., R. Co., 33 N. H. 337, 625

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Smith v. Boston, &c., R. Co., 36 N. H. 458, 1058, 1059
v. Boston, &c., R. Co., 44 N. H. 325, 1649, 1655
v. Boston, &c., R. Co., 63 N. H. 25, 1223, 1243
v. Boston, &c., R. Co., 73 N. H. 325, 1272, 1280, 1697
v. Boston, &c., R. Co., 70 N. H. 53, 1850
v. Bourbon County, 127 U. S. 105, 874, 917
v. Burlington, &c., R. Co., 59 Iowa, 73, 1344, 1355
v. Canada Car Co., 6 Upper Can. Pr. R. 107, 92
v. Central R. &c., Co., 80 Ga. 526, 1839
v. Chamberlain, 38 S. C. 529, 199
v. Chicago, &c., R. Co., 42 Wis. 520, 1278
v. Chicago, &c., R. Co., 18 Wis. 17, 72, 532
v. Chicago, &c., R. Co., 6 S. Dak. 583, 1378
v. Chicago, &c., R. Co., 4 S. Dak. 30, 1313
v. Chicago, &c., R. Co., 4 S. Dak. 71, 1163
v. Chicago, &c., R. Co., 108 Mo. 243, 1589, 1831
v. Chicago, &c., R. Co., 119 Mo. 246, 1808
v. Chicago, &c., R. Co., 60 Iowa, 512, 621, 1194
v. Chicago, &c., R. Co., 38 Iowa, 518, 1188, 1198, 1220a
v. Chicago, &c., R. Co., 34 Iowa, 506, 1180
v. Chicago, &c., R. Co., 105 Ill. 511, 960, 970, 973, 1028, 1029
v. Chicago, &c., R. Co., 67 Ill. 191, 1023, 1025, 1055
v. Chicago, &c., R. Co., 86 Ia. 202, 1056b
v. City, &c., R. Co., 29 Oregon, 539, 1096cs
v. Clark, 54 Mo. 58, 486, 898
v. Cleveland, &c., R. Co., 92 Ga. 530, 1482, 1520, 1555
v. Colorado, &c., Co., 14 Fed. 399, 190
v. Connelly's Heirs, 1 T. B. Mon. (Ky.) 58, 1041
v. Conway, 17 N. H. 586, 964
v. Cooperative, &c., Assn. 12 Daly (N. Y.), 304, 297
v. Crescent City, &c., Co., 30 La. Ann. 1378, 98
v. Danzig, 64 How. Pr. (N. Y.) 320, 543
v. Davis, 30 Cal. 536, 783
v. Dickson, 58 Iowa, 444, 625
v. Dittman, 34 N. Y. St. (N. Y.) 303, 1689l
v. Dorn, 96 Cal. 73, 165
v. Downey, 8 Ind. App. 175, 626
v. East, &c., R. Co., 84 Ga. 183, 1368
v. Eastern, &c., R. Co., 35 N. H. 356, 1213
v. Eastern R. R. Co., 124 Mass. 154, 495, 626
v. Eastern, &c., R. Co., 167 Pa. St. 209, 1702
v. Effingham, 2 Beav. 232, 562
v. Erb, 4 Gill, 437, 246
v. Erie R. Co., 67 N. J. L. 636, 1332
Smith v. Evans, 6 Binney, 102, 421
v. Express Co., 104 Ala. 387, 1530
Smith v. Ferries, &c., R. Co., Cal. 51 Pac. 723, 110
v. Ferris, 6 Hun (N. Y.), 553, 1008, 1023, 1025
v. Findley, 34 Kan. 316, 1560
v. Flint, &c., R. Co., 46 Mich. 258, 1279
v. Florida, &c., R. R. Co., 43 Fed. R. 731, 484
v. Fordyce, 190 Mo. 1, 1272a, 1273, 1278, 1298a
v. Franklin Park Land, &c., Co., 168 Mass. 345, 87
v. Georgia, &c., R. Co., 88 Ala. 538, 1628, 1642a.
v. Georgia R. &c., Co., 113 Ga. 9, 1581
v. Goldsworthy, 4 Q. B. (4 Ad. & E. N. S.) 430, 87
v. Goodknight, 121 Ind. 312, 1049a
v. Gould, 59 Wis. 631, 954
v. Gower, 3 Met. (Ky.) 171, 525
v. Grand Trunk R. Co., 35 U. C. Q. B. 547, 1658
v. Grant, 29 Chic. Leg. N. 145, 1783
v. Great Eastern, &c., R. Co., L. R. 2 C. P. 4, 1639
v. Great Northern R. Co., 92 Minn. 11, 1714
v. Greenhow, 109 U. S. 669, 652
v. Griffin, 3 Hill (N. Y.), 333, 1734
v. Hall, 103 Ia. 95, 938, 972, 1004
v. Hannibal, &c., R. Co., 37 Mo. 287, 1243a
v. Harlem R. Co., 19 N. Y. 127, 1271
v. Havens, &c., Soc. 90 N. Y. Supp. 168, 20
v. Hestonville, &c., R. Co., 92 Pa. St. 450, 1096cp, 1262
v. Hollett, 34 Ind. 519, 145
v. Hopkins, 10 Wash. 77, 564
v. Horne, 8 Taunt. 144, 1495
v. Huckabee, 53 Ala. 191, 147, 182
v. Humeston, &c., R. Co., 78 Iowa, 583, 1344
v. Humphrey, 20 Mich. 398, 752
v. Hurd, 12 Metc. (Mass.) 371, 237, 291, 318, 439
v. Illinois Cent. R. Co., 90 S. W. 254, 1257
v. Illinois Cent. R. Co., 28 Ky. L. 723, 1849
v. Indiana, &c., R. Co., 12 Ind. 61, 140
v. Indianapolis, &c., R. Co., 158 Ind. 425, 34, 1096b, 1096k
v. Inge, 80 Ala. 283, 1055
v. Jackson, &c., Traction Co., 137 Mich. 20, 1096bf
v. Kansas City, &c., R. Co., 58 Iowa, 622, 1216
v. Lansing, 22 N. Y. 520, 275
v. Law, 21 N. Y. 296, 164
v. London, &c., R. Co., L. R. 6 C. P. 14, 1242, 1243
v. London, &c., R. Co., L. R. 5 C. P. 98, 1226, 1231
v. Los Angeles Im., &c., Assn., 78 Cal. 289, 260
v. Los Angeles Super. Ct. 97 Cal. 348, 551
v. Los Angeles, &c., R. Co., 98 Cal. 210, 333, 336
v. Louisville, &c., R. Co., 124 Ind. 394, 1265, 1582, 1629, 1638, 1756

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Smith v. Louisville, &c., R. Co., 95 Ky. 11, 1255
v. Louisville, &c., R. Co., 62 Miss. 510, 966
v. Louisville, &c., R. Co., 75 Ala. 449, 660, 670, 716, 1361
v. Lyon, 133 U. S. 315, 645
v. Madison, 7 Ind. 86, 783
v. Maine Central R. Co., 87 Me. 339, 1174
v. Manhattan, &c., Co., 45 N. Y. S. R. 865, 213
v. Manhattan, &c., R. Co., 18 N. Y. Supp. 759, 1589, 1638
v. Mayor, &c., of Saginaw, 81 Mich. 123, 643
v. McCarthy, 56 Pa. St. 359, 343
v. McCullough, 104 U. S. 25, 495, 497, 590
v. McCullough, 104 U. S. 733, 495
v. McNamara, 15 Hun (N. Y.), 447, 573
v. Memphis, &c., R. Co., 18 Fed. R. 304, 1282
v. Memphis, &c., Co. (Tenn.) 1 S. W. 104, 1265
v. Metropolitan, &c., R. Co., 35 N. Y. Supp. 1062, 1360
v. Metropolitan St. R. Co., 59 App. Div. 60, 1096cu
v. Michigan Cent. R. Co., 100 Mich. 148, 1545, 1553
v. Michigan Cent. R. Co., 35 Ind. App. 188, 1158
v. Middleton, 112 Ky. 588, 1802
v. Midland R. Co., 57 L. T. 813, 1548
v. Minneapolis, &c., R. Co., 26 Minn. 419, 1773
v. Minneapolis St. R. Co., 95 Minn. 254, 1096bq, 1096br
v. Missouri, &c., R. Co., 29 Mo. App. 65, 1201
v. Missouri, &c., R. Co., 58 Mo. App. 80, 1447
v. Missouri, &c., R. Co., 74 Mo. App. 48, 1419
v. Missouri, &c., R. Co., 113 Mo. 70, 1300
v. Molleson, 148 N. Y. 241, 1060a
v. Nassau, &c., R. Co., 27 N. H. 86, 341, 391, 393, 1517, 1527, 1533
v. Nashua St. R. Co., 69 N. H. 504, 1096ap. 1096cb
v. Nashville, &c., R. Co. (Tenn.) 18 S. W. 546, 93
v. Nashville, &c., R. Co., 91 Tenn. 221, 94, 98
v. Newbaur, 144 Ind. 95, 1068
v. Newbern, 70 N. C. 14, 783
v. New Haven, &c., R. Co., 12 Allen, 531, 1478, 1545, 1548, 1551, 1730, 1737
v. New Haven, &c., R. Co., 59 Conn. 203, 682, 1109
v. New York, &c., R. Co., 46 N. J. L. 7, 717
v. New York, &c., Co., 18 Abb. Pr. (N. Y.) 419, 603
v. New York, &c., R. Co., 17 N. Y. Supp. 400, 1164
v. New York, &c., R. Co., 43 Barb. 225, 1450
v. New York, &c., R. Co., 24 N. Y. 222, 1498, 1605
v. New York, &c., R. Co., 88 Hun, 468, 1282, 1314
Smith v. New York, &c., R. Co., 63 N. Y. 58, 668, 1138, 1151
v. New York Elev. R, Co., 44 N. Y. St. 875, 1056a
v. Norfolk, &c., R. Co., 114 N. Car. 728, 1159, 1250, 1251, 1257
v. North Carolina R. Co., 68 N. C. 107, 192, 269
v. North Carolina R. Co., 64 N. Car. 235, 1501, 1516, 1661
v. Northern, &c., R. Co., 3 N. Dak. 17, 1242, 1244, 1245a
v. Northern Pacific R. Co., 58 Fed. 513, 799, 804
v. Northern Pacific R. Co., 1 Interst. C. 611, 1687
v. Occidental, &c., Steamship Co. 99 Cal. 462, 1377
v. O'Donnell, 8 Lea (Tenn.), 468, 1061, 1062
v. Old Colony, &c., R. Co., 10 R. I. 22, 1224, 1228, 1243, 1243a, 1274
v. Omaha, &c., R. Co., 97 Ia. 545, 828
v. Osburn, 53 Iowa, 474, 752
v. Oxford, &c., R. Co., 42 N. J. Law, 467, 1267, 1280
v. Peninsular Car Works, 60 Mich. 501, 1283, 1312
v. Pere Marquette R. Co., 136 Mich. 224, 1159
v. Philadelphia, &c., R. Co., 160 Pa. St. 117, 1165, 1179i
v. Philadelphia, &c., R. Co., 11 Pa. Co. Ct. R. 555, 1600
v. Pittsburgh, &c., R. Co., 23 Ohio St. 10, 1823
v. Pittsburgh, &c., R. Co., 90 Fed. 783, 1819
v. Point Pleasant, &c., R. Co., 23 W. Va. 451, 630
v. Poor, 40 Me. 415, 281, 310, 318
v. Poor, 3 Ware (U. S.), 148, 279
v. Port Dover, &c., R. Co., 25 Am. & Eng. R. Cas. 639, 540, 543
v. Port Dover, &c., R. Co., 12 Ont. App. 288, 539
v. Potter, 46 Mich. 258, 1275, 1279, 1327
v. Preferred, &c., Assn., 51 Fed. 520, 1059
v. Putnam, 61 N. H. 632, 230, 604
v. Railroad, 99 U. S. 398, 918
v. Railroad, 23 W. Va. 453, 1057d
v. Railroad Co., 29 Ore. 539, 1096bq
v. Railway Co., 88 Tenn. 611, 1000
v. Reading City, &c., R. Co., 13 Pa. Co. Ct. 49, 447
v. Richmond, &c., R. Co., 99 N. Car. 241, 1629
v. Rochester, 92 N. Y. 463, 976
v. Rude, &c., Co., 131 Ind. 150, 771
v. St. Joseph, 55 Mo. 456, 1822
v. St. Louis, &c., Co., 3 Tenn. Ch. 350, 646
v. St. Louis, &c., R. Co., 85 Mo. 418, 1573
v. St. Louis, &c., R. Co., 111 Mo. App. 410, 1194, 1201
v. St. Paul, &c., R. Co., 30 Minn. 169, 1696
v. St. Paul, &c., R. Co., 32 Minn. 1, 1096cs, 1096cw, 1178, 1402, 1580, 1634, 1644

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Smith v. St. Paul, &c., R. Co., 44 Minn. 17, 1344, 1355
v. St. Paul, &c., R. Co., 51 Minn. 86, 1288, 1304
v. St. Paul, &c., R. Co., 39 Wash. 355, 978, 981, 996d, 1086
v. San Francisco, &c., Co., 115 Cal. 584, 157, 159
v. School District, 40 Mich. 143, 1017
v. Seward, 3 Pa. St. 342, 1693
v. Sheeley, 12 Wall. 358, 397, 409
v. Silver Valley, &c., Co., 64 Md. 85, 17, 164
v. Skeary, 47 Conn. 47, 604
v. Smith, 3 Des. Eq. S. Car. 557, 274
v. Smith, 62 Ill. 493, 286
v. Smith, 125 Mich. 234, 533
v. Southeastern R. Co., 39 L. J. C. P. 346, 1638
v. South, &c., Bank, 32 Vt. 341, 268
v. State, 21 Ark. 294, 53
v. State, 28 Ind. 321, 734
v. State, 140 Ind. 343, 644
v. State, 100 Tenn. 494, 1577a
v. Steamship Co., 142 Fed. 1032, 1661
v. Stokes, 4 B. & S. 84, 1090
v. Street R. Co., 87 Tenn. 626, 1088, 1096d
v. Syracuse, &c., R. Co., 161 N. Y. 484, 1096t
v. Tallahassee, &c., Co., 30 Ala. 650, 13a, 114, 127, 128, 173
v. Thomson-Houston Elec. Co., 188 Mass. 371, 1278, 1361a
v. Trenton, &c., Co., 17 N. J. Law, 5, 1014
v. Tripp, 13 R. I. 211, 1367
v. Turner, 7 How. 283, 1663
v. Wabash R. Co., 141 Ind. 92, 1166, 1171, 1340, 1365, 1850
v. Wabash, &c., R. Co., 92 Mo. 359, 1322, 1828
v. Washington, 20 How. (U. S.) 135, 980
v. Wells, 20 How. Pr. (N. Y.) 158, 550
v. Wells, &c., Co., 148 Ind. 333, 602
v. Western, &c., R. Co., 91 Ala. 455, 1455
v. Wilcox, 24 N. Y. 353, 637
v. Wilmington, &c., R. Co., 129 N. Car. 173, 1289
v. Wilmington, &c., R. Co., 130 N. Car. 304, 1816
v. Winona, &c., R. Co., 42 Minn. 87, 1288a
v. Wrightsville, &c., R. Co., 83 Ga. 671, 1297, 1315a
v. Wunderlich, 70 Ill. 426, 1803
Smith Bridge Co. v. Bowman, 41 Ohio St. 37, 1066, 1069
v. Louisville, &c., R. Co., 72 Ill. 506, 1070
Smith, &c., Purifier Co. v. McGroarty, 136 U. S. 237, 603
Smith, &c., Co. v. Butts, 72 Miss. 269, 1075
Smitson v. Southern Pac. Co., 37 Ore. 74, 1815, 1841, 1845
Smoak v. Savannah, &c., R. Co., 65 S. Car. 299, 1786
Smott v. Kansas City, 194 Mo. 513, 1828
v. Mobile, &c., R. Co., 67 Ala. 13, 1278, 1284, 1316, 1327
Smotherman v. St. Louis, &c., R. Co., 29 Mo. App. 265, 1630
Smyrl v. Niolon, 2 Bailey Law, 421, 1455, 1718
Smyth v. Ames, 169 U. S. 466, 659, 660, 693, 700, 703, 1662d, 1684a, 1684b, 1684d, 1684e
v. Burns, 25 Miss. 422, 94
Smythe v. Boswell, 117 Ind. 365, 677, 705
v. Scott, 124 Ind. 183, 616
Snead v. Central, &c., R. Co., 151 Fed. 608, 1358e, 1688b
v. Indianapolis, &c., R. R. Co., 11 Ind. 104, 17, 42
Sneath v. Valley Gold, L. R. (1893) 1 Ch. 477, 533
Sneathen v. Grubbs, 88 Pa. St. 147, 1414
Snedecor v. Pope, 143 Ala. 275, 1801
Snee v. Prescot, 1 Atk. 3, 1539
Sneed v. Maysville, &c., Co., 87 Pac. 376, 1378a
Snell's Case, L. R. 5 Chan. 22, 151
Snell v. Brown, 71 Ill. 133, 1059
v. Campbell, 24 Fed. 880, 834
v. Chicago, 133 Ill. 413, 58, 67, 72, 75, 613
v. Chicago, 152 U. S. 191, 488, 519
v. Cottingham, 72 Ill. 161, 1058, 1058a
v. Rochester R. Co., 64 Hun (N. Y.), 476, 1096cc
Snellbaker v. Paducah, &c., R. Co., 94 Ky. 597, 200, 1603
Snider v. Adams Exp. Co., 77 Mo. 523, 1692
v. Adams Exp. Co., 63 Mo. 376, 1501, 1502, 1502a
v. New Orleans, &c., R. Co., 48 La. Ann. 1, 1096bq, 1096cd
v. St. Louis, &c., R. Co., 73 Mo. 465, 1201
Snider's Sons Co. v. Troy, 91 Ala. 224, 190
Snipes v. Norfolk, &c., R. Co., 56 S. E. 477, 1578b
Snively v. Loomis Coal Co., 11 Nat. Rep. 207, 590
Snoddy v. County of Pettis, 45 Mo. 361, 1045
Snook v. Georgia Imp. Co., 83 Ga. 61, 43, 46, 122, 163, 627, 930
Snouffer v. Cedar Rapids, &c., R. Co., 118 Ia. 287, 1082a
Snow v. Boston, &c., R. Co., 65 Me. 230, 1037, 1038, 1040
v. Eastern R. Co., 12 Met. (Mass.) 44, 1660
v. Fitchburg R. Co., 136 Mass. 552, 1256, 1639
v. Housatonic, &c., R. Co., 8 Allen, 441, 1268, 1271
v. Indiana, &c., R. Co., 109 Ind. 422, 1415, 1423, 1435, 1440, 1502, 1693, 1694, 1716
v. Smith, 4 Hughes (U. S. C. C.) 204, 650
v. Texas, &c., R. Co., 16 Fed. R. 1, 647
v. United States, 118 U. S. 346, 646
v. Winslow, 54 Iowa, 200, 563, 590, 596
Snowden v. Boston, &c., R. Co., 151 Mass. 220, 1630
v. Norfolk, &c., R. Co., 95 N. Car. 93, 1205
v. Wilas, 19 Ind. 10, 949
Snyder v. Chicago, &c., R. Co., 112 Mo. 527, 948, 1052

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Snyder v. Colorado, &c., R. Co., 85 Pac. 686, 1633
v. Ft. Madison, &c., R. Co., 105 Iowa, 284, 1096c, 1096d
v. Hannibal, &c., R. Co., 60 Mo. 413, 1255, 1581, 1645
v. Pennsylvania R. Co., 55 Pa. St. 340, 1087
v. Pittsburgh, &c., R. Co., 11 W. Va. 14, 1224, 1238
v. Studebaker, 19 Ind. 462, 190, 409
v. Tunitas, &c., Co., 72 Cal. 194, 95
v. Wabash, &c., R. Co., 86 Mo. 613, 1215
v. Western Union R. Co., 25 Wis. 60, 991, 1037, 1038
Sobernheimer v. Wheeler, 45 N. J. Eq. 614, 558
Sobieski v. St. Paul, &c., R. Co., 41 Minn. 169, 1267
Society v. Abbott, 2 Beav. 559, 237, 395
v. Coite, 6 Wall. 594, 754, 1665
v. Goodrich Transportation Co., 7 Fed. R. 257, 1234
v. London, 29 Conn. 174, 828, 836, 882, 886
v. New Haven, 8 Wheat. (U. S.) 464, 55, 609
Sodergren v. Flight, 6 East, 622, 1572
Soderman v. Kemp, 145 N. Y. 427, 1301
Sodus Bay, &c., R. Co. v. Lapham, 43 Hun (N. Y.), 314, 123
Soeder v. St. Louis, &c., R. Co., 100 Mo. 673, 1288
Soens v. Racine, 10 Wis. 271, 814
Solan v. Chicago, &c., R. Co., 95 Ia. 260, 1499
v. Chicago, &c., R. Co., 95 Ia. 260, 1439, 1605, 1608, 1664, 1670
Solatinow v. Jersey City, &c., R. Co., 70 N. J. L. 154, 1096cp, 1778
Solen v. Virginia, &c., R. Co., 13 Nev. 106, 1827
Sollory v. Leaver, L. R. 9 Eq. 22, 538
Solomon v. Bates (N. Car.), 24 S. E. 478, 282
v. Manhattan R. Co., 103 N. Y. 437, 1628
v. Nicholas, 113 Ill. 351, 1061
Solomon R. Co. v. Jones, 30 Kan. 601, 1, 1278, 1288
Solomon's Lodge v. Montmollin, 58 Ga. 547, 411
Solon v. Williamsburgh, &c., Bank, 114 N. Y. 122, 903
Somers v. Metropolitan, &c., R. Co., 129 N. Y. 576, 978
Somerset R. Co. v. Clarke, 61 Me. 379, 111, 111a
Somerset, &c. ,R. Co. v. Cushing, 45 Me. 524, 111a, 115, 143
Somerville, &c., R. Co. v. Doughty, 22 N. J. L. 495, 994, 995, 996, 1036
Sommerfield v. St. Louis Transit Co., 108 Mo. App. 718, 1823
Sommers v. St. Louis Transit Co., 108 Mo. App. 319, 1764
Sommerville v. Merrill, 1 Port. (Ala.) 107, 1713
Sommons v. Toledo, Ohio C. C. 1 Toledo Leg. N. 249, 1096j
Sonia Cotton Oil Co. v. Steamer Red River, 106 La. Ann. 42, 1426
Sonier v. Boston, &c., R. Co., 141 Mass. 10, 1628
Sonn v. Erie R. Co., 67 N. J. L. 350, 1179d
Sonneborn v. Southern R. Co., 65 S. Car. 502, 1651
Soon Hing v. Crowley, 113 U. S. 703, 1082
Soper v. Buffalo, &c., R. Co., 19 Barb. (N. Y.) 310, 170, 269, 285
v. Railroad Co., 113 Mich. 443, 1514
Sorenson v. Menasha, &c., R. Co., 56 Wis. 338, 1299, 1309
v. Northern Pac. R. Co., 36 Fed. 166, 1727
v. Oregon, &c., Co., 47 Ore. 24, 1828
Sorrell v. Central R. Co., 75 Ga. 509, 701
Soule v. New York, &c., R. Co., 24 Conn. 575, 1361
Sours v. Great Northern R. Co., 84 Minn. 230, 1315e
Southampton Dock Co. v. Richards, 2 Eng. Railw. & Canal Cas. 215, 134
Southard v. Central R. Co., 26 N. J. L. 13, 939, 942
v. Minneapolis, &c., R. Co., 60 Minn. 382, 1436, 1438, 1449, 1502, 1509
South Bay, &c., Co. v. Gray, 30 Me. 547, 150, 248, 887
South Beach R. Co., In re, 119 N. Y. 141, 970, 1096bm
South Beach R. Co. v. Byrnes, 119 N. Y. 141, 1096f
South Bend v. Turner, 156 Ind. 418, 1699
South Bend Plow Co. v. Cissne, 35 Ind. App. 373, 1689d, 1689f
South Bend Toy, &c., Co. v. Pierre, &c., Ins. Co., 4 S. Dak. 173, 176
South Boston R. Co. v. Middlesex R. Co., 121 Mass. 485, 1084, 1096au
South Bound R. Co. v. Burton, 67 S. Car. 515, 996d, 1087
v. Burton, 46 S. C. 340, 1084
South Brooklyn, &c., R. Co., In re, 50 Hun, 405, 1029
South Bridge Savings Bank v. Mason, 147 Mass. 500, 498
South Buffalo, &c., R. Co. v. Kirkover, 176 N. Y. 301, 993, 995
South Carolina v. Georgia, 93 U. S. 4, 1666
v. Seymour, 153 U. S. 353, 1663
South Carolina R. Co., In re, 2 Rich. L. (S. Car.) 434, 929
South Carolina R. Co. v. Blake, 9 Rich. L. (S. Car.) 228, 329, 330, 393, 929, 930, 954, 960, 962, 971, 1029
v. Columbia, &c., R. Co. 13 Rich. Eq. (S. Car.) 339, 966, 1116
v. McDonald, 5 Ga. 531, 709, 1070
v. Nix, 68 Ga. 572, 1360, 1366, 1594, 1637
v. People's Sav. Inst., 64 Ga. 18, 624
v. South Carolina R. Co., 4 L. R. A. 209, 631
v. Steiner, 44 Ga. 546, 996, 1087
v. Wilmington, &c., R. Co., 7 S. Car. 410, 461, 471, 477
South Carolina, &c., R. Co. v. American Tel., &c., Co., 65 S. Car. 459, 975c, 1025
v. Carolina, &c., R. Co., 93 Fed. 543, 451, 580

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

South Chicago City R. Co. v. Kinnare, 96 Ill. App. 210, 1096ch
South Chicago R. v. Dix, 109 Ill. 237, 4, 923, 960, 961
South Chicago, &c. R. Co. v. Chicago, 196 Ill. 490, 1046a
v. Kinnare, 216 Ill. 451, 1096bq
Southcote's Case, 4 Coke, 83, 1495
South Covington, &c. R. Co. v. Beatty, 20 Ky. L. 1845, 1096cs
v. Constans, 25 Ky. L. 158, 1831
v. Core (Ky.), 96 S. W. 562, 1096bt
v. Eusien (Ky.), 38 S. W. 850, 1096cl
v. Gest, 34 Fed. 628, 487
v. Herrklotz, 104 Ky. 400, 1096bs, 1096cd, 1096ce
v. Riegler, 26 Ky. L. 666, 1831
v. Ware, 84 Ky. 267, 1628, 1642
South Dakota v. North Carolina, 192 U. S. 286, 385
South Dakota, &c., R. Co. v. Chicago, &c., R. Co., 141 Fed. 578, 646, 656a, 966, 974, 1010a, 1027
Southeastern R. Co. v. Railway Commissioners, L. R. 6 Q. B. D. 586, 683, 699, 706
v. Railroad Commissioners, L. R. 5 Q. B. D. 217, 706, 1465
v. Reg., 17 Q. B. 485, 1106
Southeastern, &c., R. Co. v. Railway Commissioners, 3 Nev. & Mac. 464, 694
Southerland v. Northern Pac. R. Co., 43 Fed. 646, 1272, 1332
v. Texas, &c., R. Co., 40 S. W. 193, 1842
v. Wilmington, &c., Co., 106 N. C. 100, 217, 218
Southern Bell, &c., Co. v. Cassin, 111 Ga. 575, 1376
Southern Cash, &c., Co. v. National, &c., Co., 143 Fed. 659, 656a
Southern Cal. R. Co. v. Workman, 146 Cal. 80, 790
Southern Cotton Oil Co. v. Skipper, 125 Ga. 368, 1812
Southern Ex. Co. v. Armstead, 50 Ala. 350, 1692
v. Ashford, 126 Ala. 591, 1750
v. Bank, 108 Ala. 517, 1512
v. Barnes, 36 Ga. 532, 1502
v. Brown, 67 Miss. 260, 1774
v. Caperton, 44 Ala. 101, 1512, 1523, 1692
v. Craft, 49 Miss. 480, 1419, 1692
v. Crook, 44 Ala. 468, 200, 1401, 1421, 1422, 1505, 1510, 1523, 1535
v. Dickson, 94 U. S. 549, 1519, 1526, 1536
v. Everett, 37 Ga. 688, 1522, 1523
v. Glenn, 16 Lea, 472, 1401, 1453, 1512
v. Hess, 53 Ala. 19, 1419, 1441
v. Hill, 98 Ark. 371, 1504
v. Holland (Ala.), 19 So. 66, 1464
v. Hunnicutt, 54 Miss. 566, 1512
v. Kaufman, 12 Heisk. (Tenn.) 161, 1422, 1526, 1535
v. McVeigh, 20 Gratt. (Va.) 264, 303, 1401, 1403, 1694
v. Memphis, &c., R. Co., 2 McCrary (U. S.), 570, 388, 1395
v. Memphis, &c., R. Co., 8 Fed. R. 799, 1467
v. Moon, 39 Miss. 822, 1393, 1454, 1502
Southern Ex. Co. v. Newby, 36 Ga. 635, 1401, 1406, 1407, 1421, 1457, 1517
v. Owens, 41 So. 752, 1725
v. Purcell, 37 Ga. 103, 1500, 1752
v. Rose, 124 Ga. 581, 1414a, 1465, 1466, 1564, 1690
v. Selde, 67 Miss. 609, 1535
v. Shea, 38 Ga. 519, 1434, 1441
v. United States Exp. Co., 88 Fed. 659, 1558
v. Van Meter, 17 Fla. 783, 1525, 1526, 1535
v. Williams, 99 Ga. 482, 1536
v. Womack, 1 Heisk. (Tenn.) 256, 303, 1401, 1422, 1458, 1488
v. Wood, 98 Ga. 268, 1491
Southern Flour, &c., Co. v. Northern Pac. R. Co., 56 S. E. 742, 1673
Southern Hotel Co. v. Newman, 30 Mo. 118, 176
Southern Illinois, &c., Co. v. Stone, 194 Mo. 175, 1027, 1035a
Southern Illinois, &c., R. Co. v. Stone, 174 Mo. 132, 956
Southern Ind. Exp. Co. v. United States Exp. Co., 88 Fed. 659, 1395a, 1667
Southern Ind. R. Co. v. Baker, 77 N. E. 64, 1356
v. Bedford, 165 Ind. 272, 724, 1082
v. Davis, 32 Ind. App. 569, 1799, 1812
v. Harrell, 161 Ind. 689, 1335, 1356
v. Martin, 160 Ind. 280, 1356
v. Mauldin, 19 Tex. Civ. App. 166, 1388
v. McCarrell, 163 Ind. 469, 1097, 1107, 1176
v. Messick, 35 Ind. App. 676, 1096bn, 1160, 1289, 1299
v. Norman, 165 Ind. 126, 1264
v. Peyton, 157 Ind. 690, 1130, 1133, 1313, 1765
Southern Iron Car Line v. East Tenn. R. Co. (Tenn. Ch.) 42 S. W. 529, 579
Southern Kansas R. Co. v. Crump, 32 Tex. Civ. App. 222, 1730
v. Duncan, 40 Kan. 503, 1451
v. Hinsdale, 38 Kan. 507, 1576, 1629, 1823
v. Oklahoma City, 12 Okla. 82, 963, 979, 980, 996c, 1010
v. Michaels, 57 Kan. 474, 1269, 1278
v. Moore, 49 Kan. 616, 1304
v. Morris, 99 S. W. 433, 1551
v. Robbins, 43 Kan. 145, 16891
v. Sage, 98 Tex. 438, 1315a, 1814
v. State, 99 S. W. 166, 1358d, 1665
Southern Kans., &c. R. Co. v. Rice, 38 Kan. 398, 1801, 1823
Southern Life Ins. Co. v. Lanier, 5 Fla. 110, 110, 492
Southern Ohio R. Co. v. Morey, 47 Ohio St. 207, 1063
Southern Pac. R. Co. v. Arnett, 111 Fed. 849, 1714
v. Arnett, 126 Fed. 75, 1550, 1553
v. Bavard, 87 Pac. 203, 800
v. Colorado, &c., Co., 101 Fed. 779, 675, 691, 1672, 1688a
v. Crowder, 135 Ala. 417, 1820
v. D'Arcais, 27 Tex. Civ. App. 57, 1510a, 1734
v. Denton, 146 U. S. 202, 29

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Southern Pac. R. Co. v. Esquible, 4 Johns. (N. Mex.) 337, 385
v. Ferris, 93 Cal. 263, 1076
v. Gloyd, 138 Fed. 388, 1268, 1272, 1274, 1289
v. Hall, 100 Fed. 760, 1773, 1812
v. Hamilton, 54 Fed. 468, 1837
v. Harrison, 73 Texas. 108, 29
v. Hetzer, 135 Fed. 272, 1284, 1796, 1815, 1816, 1819
v. Hyatt, 132 Cal. 240, 931
v. Interstate Com. Com. 200 U. S. 536, 1675, 1684l
v. Lasch, 2 Tex. Civ. App. 68, 1306
v. Lipman, 83 Pac. 445, 796
v. Orton, 32 Fed. 457, 52
v. Orton, 6 Sawy. (U. S.) 157, 406
v. Patterson, 7 Tex. Civ. App. 451, 1848
v. Phillpson, 39 S. W. 958, 1513a
v. Pomona, 144 Cal. 330, 425
v. Pool, 160 U. S. 438, 1298a
v. Poole, 32 Fed. 451, 329
v. Railroad Commission, 78 Fed. 236, 682, 691, 693, 1684a, 1684c, 1684e
v. Railroad Com'rs, 87 Fed. 22, 1684b
v. Reed, 41 Cal. 256, 1088
v. San Francisco Sav. Union, 146 Cal. 290, 973
v. United States, 200 U. S. 341, 803
v. United States, 189 U. S. 447, 798
v. United States, 183 U. S. 519, 805
v. Wellington, 36 S. W. 1114, 1795
v. Wilson, 85 Pac. 401, 1359
v. Yeargin, 109 Fed. 436, 1288a
Southern R. Co. v. Allison, 190 U. S. 326, 649
v. Anniston, 135 Ala. 315, 1564
v. Arnold, 114 Ala. 183, 1296
v. Atlantic, &c., R. Co., 111 Ga. 679, 1096c, 1096be, 1096bp
v. Barlow, 104 Ga. 213, 1599a
v. Birmingham, &c., R. Co., 130 Ala. 660, 986
v. Birmingham, &c., R. Co., 131 Ala. 663, 1049a
v. Blanford, 105 Va. 373, 1766, 1796
v. Bouknight, 70 Fed. 442, 339
v. Brock, 115 Ga. 721, 1215
v. Brown, 126 Ga. 1, 1689l
v. Bryan, 125 Ala. 297, 1133
v. Bush, 122 Ala. 470, 1257
v. Carnegie Steel Co., 176 U. S. 257, 500, 528
v. Carroll, 138 Fed. 638, 1164, 1168
v. Carson, 194 U. S. 136, 650a
v. Cassell, 28 Ky. L. 1230, 1597, 1599a
v. Chambers (Ga.), 55 S. E. 37, 214
v. Chatman, 124 Ga. 1026, 1257
v. Clariday, 120 Ga. 465, 1825
v. Clark, 52 Kan. 398, 1660
v. Crenshaw, 136 Ala. 573, 1762
v. Crowder, 130 Ala. 256, 1629
v. Crump, 74 S. W. 335, 1748
v. Cullen, 221 Ill. 392, 1578, 1581, 1632
v. Cunningham, 123 Ga. 90, 1582, 1634
v. Davis, 34 Ind. App. 377, 1167, 1179b
v. Dawson, 98 Va. 577, 1635
v. Douglass, 39 So. 268, 1761
v. Forgey, 105 Va. 599, 1747
Southern Pac. R. Co. v. Forsythe, 64 S. W. 506, 1214
v. Franklin, &c., R. Co., 96 Va. 693, 458
v. Gardner, 56 S. E. 455, 1437, 1520
v. Gloyd, 138 Fed. 388, 1296
v. Goddard, 89 S. W. 675, 1248
v. Goldstein Bros. 41 So. 173, 1435
v. Gregg, 101 Va. 308, 986, 1048
v. Grizzle, 124 Ga. 735, 656a
v. Hagan, 103 Ga. 564, 208
v. Hagan, 103 Ga. 564, 1689h
v. Hage, 37 So. 439, 1205
v. Hamilton, 54 Fed. 464, 1599a
v. Harrison, 119 Ala. 539, 1666, 1684l
v. Hart, 64 S. W. 650, 1298a
v. Hawkins, 28 Ky. L. 364, 1594, 1637, 1801
v. Hill, 125 Ga. 354, 1851
v. Hobbs, 118 Ga. 227, 1628, 1841
v. Hobbs, 43 So. 844, 1812
v. Hood, 126 Ala. 312, 997
v. Hooper, 110 Ga. 779, 1151
v. Howard, 111 Ga. 842, 1627a
v. Howell 135 Ala. 639, 1812, 1814
v. James, 118 Ga. 340, 1265
v. Johnson, 114 Ga. 329, 1356
v. Jones, 132 Ala. 437, 1510, 1736
v. Jones, 56 S. E. 155, 1161, 1165
v. Kinchen, 103 Ga. 186, 1429a
v. Lee, 101 S. W. 308, 1578
v. Lockwood Mfg. Co., 142 Ala. 322, 1567, 1567a
v. Logan, 138 Fed. 725, 1304
v. McGowan, 43 So. 378, 1767, 1829
v. McLellan, 80 Miss. 700, 1796, 1807
v. Mauzy, 98 Va. 692, 1796
v. Morris, 42 So. 19, 1107, 1112
v. Phillips, 119 Ga. 146, 1774
v. Phillipson, 39 S. W. 958, 1510
v. Pogue, 40 So. 565, 1212, 1215
v. Posey, 124 Ala. 486, 1761, 1792
v. Puckett, 121 Ga. 322, 1245
v. Pugh, 97 Tenn. 624, 1298a
v. Roach, 77 N. E. 606, 1605
v. Roebuck, 132 Ala. 412, 1630a
v. St. Louis Hay, &c., Co., 153 Fed. 728, 1673, 1682, 1684l
v. Shields, 121 Ala. 460, 1304
v. Shook, 43 So. 579, 1338
v. Simmons, 55 S. E. 459, 1298a, 1314
v. Simpson, 131 Fed. 705, 1155
v. Sittasen, 74 N. E. 898, 1315a
v. Stittasen, 76 N. E. 973, 1689e, 1689f, 1766, 1799
v. Smith, 86 Fed. 292, 1703, 1776
v. Smith, 102 S. W. 232, 1454, 1713
v. Smith, 95 Va. 187, 1630a
v. Stockdon, 56 S. E. 713, 1761, 1792
v. State, 165 Ind. 613, 649, 722
v. State, 72 N. E. 1174, 713, 714, 722
v. State, 74 N. E. 174, 646
v. Stockdon, 56 S. E. 713, 1850
v. Thomas, 28 Ky. L. 951, 1755
v. Thomason, 146 Fed. 972, 651
v. Thurman, 28 Ky. L. 699, 1801
v. Tift, 27 Sup. Ct. 709, 1688a
v. Washington, &c., R. Co., 102 Va. 483, 1122
v. Waters Co., 125 Ga. 520, 1452
v. Webb, 143 Ala. 304, 1553

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Southern Pac. R. Co. v. Wilson, 139 Ala. 510, 1235
v. Wood, 114 Ga. 140, 1597, 1801
Southern R. Co. v. McNeill, 155 Fed. 756, 1688c
Southern R., &c., Assn., Re, 1 Interst. Com. 278, 1682
Southern, &c., R. Co., In re, 146 N. Y. 352, 1016
Southern, &c., R. Co. v. Brown, 68 Fed. R. 333, 795
v. Burke, 60 Fed. R. 704, 1288
v. California, 118 U. S. 109, 652
v. Cowan, 129 Ala. 577, 1049f
v. Cunningham (Ala.), 20 So. 639, 1697
v. Denton, 146 U. S. 202, 23, 621, 623, 649, 1371
v. Doyle, 8 Sawyer, 60, 501
v. Drake (Kan.), 35 Pac. 825, 1296
v. Duncan, 16 Ky. L. 119, 1447
v. Esquibel, 4 New Mexico, 337, 519, 796, 801
v. Groeck, 68 Fed. R. 609, 798
v. Harrison, 73 Tex. 109, 654
v. Hixon, 5 Ind. 165, 132
v. Johnson, 69 Fed. R. 559, 1297
v. Johnson (Tex.), 15 S. W. 121, 1459
v. Kaufman 12 Heisk. 161, 1491
v. Kendrick, 40 Miss. 374, 199, 200
v. Kennedy (Tex. C. App.), 29 S. W. 394, 1255
v. Lafferty, 57 Fed. R. 536, 1278
v. Leasch (Tex. Civ. App.), 21 S. W. 563, 1297
v. Maddox, 75 Tex. 300, 1507, 1510
v. Markey (Tex.), 19 S. W. 392, 1268
v. Munell, 78 Miss. 441, 1146
v. Orton, 32 Fed. 457, 1, 68, 613, 796, 801, 1077, 1096i
v. Pavey, 48 Kan. 452, 1628
v. Pool, 160 U. S. 438, 1314
v. Poole, 32 Fed. 451, 796
v. Raymond, 53 Cal. 223, 393, 954, 960, 970
v. Reed, 41 Cal. 256, 1087
v. Rice, 38 Kan. 398, 1591, 1637
v. Rutherford, 62 Fed. R. 796, 633, 636
v. St. Paul, &c., R. Co., 55 Fed. 690, 804
v. Sandford, 45 Kan. 372, 1637
v. Schmidt, 44 Kan. 374, 1206
v. Seley, 152 U. S. 145, 1269, 1272, 1273, 1277, 1288, 1296, 1302
v. Stell (Tex.), 15 S. W. 122, 1459
v. Stevens, 87 Pa. St. 190, 46
v. Stoddard, 6 Minn. 150, 919, 920, 970
v. Superior Court, 63 Cal. 607, 655
v. Tilley, 41 Fed. 729, 799
v. Tomlinson (U. S.), 16 Sup. Ct. 1171, 1376
v. Towner, 41 Kan. 72, 18, 111, 117, 337, 851, 852, 886, 913
v. United States, 69 Fed. R. 47, 927
v. Walsh, 45 Kan. 653, 1402, 1586
v. Webb, 143 Ala. 304, 1523
Southern, &c., R. Co. v. Wilson, 49 Cal. 396, 955, 1025, 1041, 1044, 1045
Southern, &c., Tel. Co. v. Francis (Ala.), 19 So. 1, 1080
v. Lynch, 95 Ga. 529, 1699
Southern, &c., Co. v. Burgess Co., 90 S. W. 189, 1553
v. Union L. & T. Co., 64 Fed. R. 450, 494
South Florida Railroad Co. v. Price, 32 Fla. 46, 222, 223, 1388
v. Rhodes, 25 Fla. 40, 202, 1576, 1637, 1760
v. Weese, 32 Fla. 212, 623, 1296
Southgate v. Atlantic, &c., R. Co., 61 Mo. 89, 289
South Georgia R. Co. v. Ryals, 123 Ia. 330, 1212
South Georgia, &c., R. Co. v. Ayres, 56 Ga. 230, 111a, 133
South, &c., R. Co. v. Henlein, 56 Ala. 368, 1709
South Joplin Land Co. v. Case, 104 Mo. 572, 12
South London, &c., Co., In re, L. R. 39 Ch. Div. 324, 93
v. McLendon, 63 Ala. 266, 1801
Southmayd v. Russ, 3 Conn. 52, 180
South Minnesota R. Co. v. Stoddard, 6 Minn. 150, 954
South Mountain, &c., Mining Co., In re, 7 Sawyer (U. S.), 30, 176
South Nashville St. R. Co. v. Morrow, 87 Tenn. 406, 741a, 743, 769
South Ottawa v. Perkins, 94 U. S. 260, 827, 844, 894
South Pacific R. Co. v. Laciede County, 57 Mo. 147, 746
South Park Comrs. v. Chicago, B. & O. R. Co., 107 Ill. 105, 786
v. Chicago, &c., Co., 13 Am. & Eng. R. Cas. 415, 787
v. Dunlevy, 91 Ill. 49, 985, 1006, 1036
v. Todd, 112 Ill. 379, 1003, 1003b, 1025
South Penn. Oil Co. v. Calf Creek Oil &c., Co., 140 Fed. 507, 934a
Southport, &c., R. Co. v. Owners of Platt Land, 133 N. Car. 266, 989, 1053
South Side Elec. R. Co. v. Nesvig, 214 Ill. 463, 1271
Southside R. Co. v. Daniel, 20 Gratt. (Va.) 344, 1005
South Staffordshire R. Co. v. Burnside, 5 Exch. 129, 153
South Wales R. Co. v. Local Board of Health, 4 El. & B. 189 (82 E. C. L. 188), 4
v. Redmond, 10 Com. B. N. S. 675, 340, 341, 374
v. Richards, 6 Eng. Railw. & Canal Cas. 197, 1054
v. Wythes, 5 DeG., M. & G. 880, 642, 935
v. Wythes, 1 K. & J. 186, 936, 1062
Southwark R. Co. v. Philadelphia, 47 Pa. St. 314, 69
South Waverly, Appeal of, 11 Atl. 245, 1099
Southwestern Tel. Co. v. Kansas City, &c., R. Co., 109 La. Ann. 892, 975c
Southwestern R. Co. v. Thomason, 40 Ga. 408, 79

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Southwestern, &c., R. Co. v. Bently, 51 Ga. 311, 1662
v. Felder, 46 Ga. 433, 1464, 1521
v. Hickory, &c., Ditch Co., 18 Colo. 489, 1026
v. Martin, 57 Ark. 355, 310
v. Mitchell, 69 Ga. 114, 949
v. Paulk, 24 Ga. 356, 1173, 1360, 1372
v. Singleton, 66 Ga. 252, 1255, 1629
v. Southern, &c., Tel. Co., 46 Ga. 43, 956, 977, 1010
v. Webb, 48 Ala. 585, 1393
v. Wright, 116 U. S. 231, 748
Southworth v. Palmyra R. Co., 2 Mich. 287, 263
v. Reid, 36 Fed. 451, 651
South Yorkshire R. Co. v. Great Northern R. Co., 9 Exch. 55, 317, 341, 368
South, &c., Ala. R. Co. v. Donovan, 84 Ala. 141, 1154, 1155, 1257
South, &c., Brewery Co., Re, L. R. 31 Ch. Div. 261, 81
South. &c., R. Co. v. Alabama, &c., R. Co., 102 Ala. 236, 628, 944
v. Henlein, 52 Ala. 606, 1492, 1510, 1516, 1545, 1547, 1548, 1552, 1553
v. Highland Avenue, &c., R. Co., 98 Ala. 400, 1060, 1118
v. Highland Ave., &c., R. Co., 119 Ala. 105, 1096g 1096bt
v. Jones, 56 Ala. 507, 1204, 1206
v. McLendon, 63 Ala. 266, 1062
v. Morris, 65 Ala. 193, 660, 669, 1220
v. Schaufler, 75 Ala. 136, 1643, 1696
v. Small, 70 Ala. 499, 1214
v. Sullivan, 59 Ala. 272, 1376
v. Thompson, 62 Ala. 494, 1156, 1589
v. Williams, 65 Ala. 74, 1180, 1205, 1209
v. Wilson, 78 Ala. 587, 1694, 1725
v. Wood, 66 Ala. 167, 1517, 1518, 1519, 1521, 1527
v. Wood, 71 Ala. 215, 1718
v. Wood, 72 Ala. 451, 1692
Southwestern R. Co. v. Paulk, 24 Ga. 356, 1799
Soutie, &c., R. Co. v. Pilgreen, 62 Ala. 305, 1689h
Soward v. Chicago, &c., R. Co., 32 Iowa, 386, 1193, 1197
Sowers v. Dukes, 8 Minn. 23, 1184
Spackman v. Evans, L. R. 3 H. L. 171, 177
Spade v. Hudson River R. Co., 16 Barb. (N. Y.) 383, 1404
v. Lynn, &c., R. Co., 172 Mass. 488, 1817
Spafford v. Duluth, &c., R. Co., 48 Minn. 515, 1065
Spaids v. New York, &c., R. Co., 3 Daly (N. Y.), 139, 1651
Spain v. St. Louis, &c., R. Co., 151 Fed. 522, 1358e, 1688b
Spalding v. Chicago, &c., R. Co., 101 Mo. App. 225, 1553
Spancake v. Philadelphia, &c., R. Co., 148 Pa. St. 184, 1329
Spangler v. Atchison, &c., R. Co., 42 Fed. 305, 477
v. Danforth, 65 Ill. 152, 422
Spangler v. Indiana, &c., R. Co., 21 Ill. 276, 133, 134, 138, 144
v. St. Joseph, &c., R. Co., 68 Kan. 46, 1591, 1639
Spann v. Transportation Co., 11 Misc. (N. Y.) 680, 1486
Spannagle v. Chicago, &c., R. Co., 31 Ill. App. 460, 1628
Sparbracker v. Larrabee, 64 Wis. 573, 1177
Sparhawk v. Union, &c., R. Co., 54 Pa. St. 401, 376, 717
v. Yerkes, 142 U. S. 1, 582
Sparks v. East Tennessee R. Co., 82 Ga. 156, 1305
v. Liverpool Water-Works, 13 Ves. 428, 154
v. Philadelphia, &c., R. Co., 212 Pa. St. 105, 6
Sparrow v. Evansville, &c., R. R. Co., 7 Ind. 369, 45, 323, 325, 327, 886
Spartanburg, &c., R. Co. v. DeGraffenreid, 12 Rich. L. (S. C.) 675. 116, 386
v. Ezell, 14 S. C. 281, 18, 20, 106
Spaulding v. Arlington, 126 Mass. 492, 1004
v. Arnold, 6 N. Y. 336, 868
v. Chicago, &c., R. Co., 30 Wis. 110, 1224, 1242
v. Chicago, &c., R. Co., 33 Wis. 582, 1213, 1245
v. Chicago, &c., R. Co., 98 Ia. 205, 1133, 1378b, 1795
v. Flynt, &c., Granite Co., 159 Mass. 587, 1338
v. Lowell, 23 Pick. Mass. 71, 783
v. Milwaukee, &c., R. Co., 57 Wis. 304, 1053
v. North San. Homestead Assn., 87 Cal. 40, 865
v. Thompson, &c., Society, 27 Conn. 573, 1070
Spavin v. Lake Shore, &c., R. Co., 130 Mich. 578, 1250, 1251, 1257
Spealman v. Missouri Pacific R. Co., 71 Mo. 431, 714, 1219
Spear v. Crawford, 14 Wend. (N. Y.) 20, 155, 933
v. Ladd, 11 Mass. 94, 170
v. Philadelphia, &c., R. Co., 119 Pa. St. 61, 1644
Spearman v. California, &c., R. Co., 57 Cal. 432, 1628a
Spears v. Chicago, &c., R. Co., 43 Neb. 720, 1701
v. Spartanburg, &c., R. Co., 11 S. Car. 158, 1464, 1527
Specht v. Commonwealth, 8 Pa. St. 312, 1668
Speck v. Kenoyer, 164 Ind. 431, 952
Speckert v. German National Bank, 98 Fed. 151, 574
Speed v. Atlantic, &c., R. Co., 71 Mo. 303, 1063
Speer v. Athens, 85 Ga. 49, 781
v. Erie R. Co., 60 Atl. 197, 1141
v. Erie R. Co., 62 Atl. 943, 1141, 1149
Spellier, &c., Co. v. Geiger, 147 Pa. St. 399, 266
v. Leedom, 149 Pa. St. 185, 127
Spellman v. New Orleans, 45 Fed. R. 3, 667
v. Lincoln, &c., R. Co., 36 Neb. 890, 1402

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Spellman v. Richmond, &c., R. Co., 35 S. Car. 475, 1802
Spence v. Mobile, &c., R. Co., 79 Ala. 576, 350, 484, 485
v. Norfolk, &c., R. Co. (Va.) 20 L. R. A. 578, 1692
v. Norfolk, &c., R. Co. (Va.) 22 S. E. 815, 1482
v. Shapard, 57 Ala. 598, 188
v. Wilmington, &c., Mills, 115 N. Car. 210, 350
Spencer v. Baltimore, &c., R. Co., 4 Mackey, 138, 1169
v. Bruner, 103 S. W. 578, 1812
v. Chicago, &c., R. Co., 105 Wis. 314, 1644
v. Hartford, &c., R. Co., 10 R. I. 14, 937, 977, 1005, 1057
v. Illinois, &c., R. Co., 29 Iowa, 55, 1171
v. Lovejoy Co., 96 Ga. 657, 1596
v. McDougal, 159 U. S. 65, 798a
v. Merchant, 125 U. S. 345, 771
v. Metropolitan, &c., Co., 120 Mo. 154, 1091
v. Milwaukee, &c., R. Co., 17 Wis. 487, 1633
v. Mobile, &c., R. Co., 79 Ala. 576, 335, 336
v. Montana, &c., R. Co., 11 Mont. 164, 1226
v. New York, &c., R. Co., 67 Hun, 196, 1272
v. Ohio, &c., R. Co., 130 Ind. 181, 1286, 1298a, 1301, 1313, 1689e, 1697, 1771
v. Pierce, 5 R. I. 63, 486
v. Point Pleasant, &c., R. Co., 23 W. Va. 406, 629, 1087
v. Railroad, 17 Wis. 487, 1633
v. Seaboard Air Line R. Co., 137 N. C. 107, 325a, 328, 951
v. Wabash R. Co., 109 N. W. 453, 931
v. White, 1 Ired. Law, 236, 1559
Spering's Appeal, 71 Pa. St. 11, 241, 273, 278, 279, 281
Sperry v. Consolidated R. Co., 65 Atl. 962, 1656a
v. Johnson, 11 Ohio 452, 116
Spettigue v. Great Western R. Co., 15 C. C. P. 315, 1495
Spicer v. Chesapeake, &c., R. Co., 34 W. Va. 514, 1154, 1250, 1257
v. Northern Pac. R. Co., 10 Land Dec. 440, 799
v. South Boston Iron Co., 138 Mass. 426, 1276
Spickler, In re, 43 Fed. 653, 667
Spidell v. Johnson, 128 Ind. 235, 918
Spies v. Chicago, &c., R. Co., 40 Fed. 34, 482, 495
Spiliane v. Missouri, &c., R. Co., 111 Mo. 555, 1172
Spiller v. Paris Rink Co., L. R. 7 Ch. D. 368, 353
v. St. Louis, &c., R. Co., 112 Mo. App. 491, 1155
Spillers v. Louisville, &c., R. Co., 8 Int. Com. 364, 16841
Spink v. Railroad Co., 21 Ky. L. 778, 1594
Spinner v. New York, &c., Co., 67 N. Y. 153, 1180, 1185, 1200, 1209
Spinnetti v. Atlas, &c., Co., 80 N. Y. 71, 1505, 1513
Spinney, Ex parte, 10 Nev. 323, 736
Spinney v. Sportsman's &c., Assn., 29 Mo. App. 326, 172
Spisak v. Baltimore, &c., R. Co., 152 Pa. St. 281, 1344
Spitze v. Baltimore, &c., R. Co., 75 Md. 162, 1377, 1384
Spitzer v. Blanchard, 82 Mich. 234, 900
Spivay v. Osage, &c., Mining Co., 88 Mo. 68, 1315
Split Rock Cable Co., In re, 128 N. Y. 408, 4, 923, 960, 961
Spofford v. Boston, &c., R. Co., 128 Mass. 326, 1467, 1593, 1676, 1678
v. Bucksport, &c., R. Co., 66 Me. 26, 415, 955, 1029, 1041, 1054
Spohn v. Missouri, &c., R. Co., 101 Mo. 417, 1591, 1836
v. Missouri, &c., R. Co., 87 Mo. 74, 1638, 1639
v. Missouri, &c., R. Co., 116 Mo. 617, 1817
Spohr v. Chicago, 206 Ill. 441, 991
Spokane Falls, &c., R. Co. v. Ziegler, 61 Fed. R. 392, 809
v. Ziegler, 167 U. S. 65, 1000a
Spokane St. R. Co. v. Spokane Falls, 6 Wash. 521, 903, 1078, 1096q
Spokane, &c., R. Co. v. Loy, 21 Wash. 501, 1060a
Spokane, &c., Co. v. McChesney, 1 Wash. 609, 1071
Spooner v. Delaware, &c., R. Co., 115 N. Y. 22, 1176, 1252, 1257, 1849
v. Hannibal, &c., R. Co., 23 Mo. App. 403, 1649, 1660, 1662a
v. Holmes, 102 Mass. 503, 484, 486
v. Phillips, 62 Conn. 62, 307
Sprague v. Hartford, &c., R. Co., 5 R. I. 233, 26
v. Illinois River R. Co., 19 Ill. 174, 45, 163, 327
v. Missouri Pac. R. Co., 34 Kan. 347, 364, 1504, 1512, 1714
v. National Bank, 172 Ill. 149, 91
v. New York, &c., R. Co., 68 Conn. 345, 201, 1315a
v. New York Cent. R. Co., 52 N. Y. 637, 1443
v. Northern Pac. R. Co., 122 Wis. 509, 1033
v. Smith, 29 Vt. 421, 474, 477, 501, 514, 576, 1393, 1435, 1596
v. Southern R. Co., 92 Fed. 59, 1296b, 1585
Sprenger v. Tacoma Trac. Co., 15 Wash. 660, 1823
Sprigg v. Baltimore, &c., R. Co., 8 Int. Com. R. 443, 684, 1593, 1687
v. Rutland R. Co., 77 Vt. 347, 1605
v. Western Tel. Co., 46 Md. 67, 252
Spring v. Russell, 7 Me. 273, 980a
Spring Co. v. Knowlton, 103 U. S. 49, 87, 656
Springer v. Chicago, 135 Ill. 552, 995, 1036
v. Sheets, 115 N. Car. 370, 647
v. Wescott, 166 N. Y. 117, 1661
Springer, &c., Co. v. Smith, 16 Lea 498, 1589, 1638
Spring Garden Bank v. Hulings Lumber Co., 32 W. Va. 357, 409
Springfield v. Connecticut River R. Co., 4 Cush. (Mass.) 63, 41, 630, 922, 964, 966, 974, 1076, 1087, 1096

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Springfield v. Miller, 12 Mass. 415, 16
v. Sale, 127 Ill. 359, 783
v. Springfield, St. R. Co., 182 Mass. 41, 1096am
Springfield Consol. R. Co. v. Flynn, 55 Ill. App. 600, 1096cx
Springfield Engine & T. Co. v. Green, 25 Ill. App. 106, 617
Springfield R. Co. v. Welsch, 155 Ill. 511, 1689l
Springfield, &c., R. Co. v. Andrews, 68 Ill. 56, 1203
v. Calkins, 90 Mo. 538, 1038
v. Flynn, 55 Ill. App. 600, 1639
v. Hoeffner, 175 Ill. 634, 1689l
v. Rhea, 44 Ark. 258, 1035, 1036, 1139
v. Sloan, 225 Ill. 467, 1333a
Springport v. Teutonia Savings Bank, 75 N. Y. 397, 873, 893
Springs v. South Bound R. Co., 46 S. Car. 104, 1494
v. Southern R. Co., 130 N. Car. 186, 1795
Springtown, &c., R. Co. v. Riley, 8 Ky. L. 267, 1062
Spring Valley Water Works v. San Francisco, 22 Cal. 434, 957, 1028
v. San Francisco, 82 Cal. 286, 1684b
v. San Francisco, 124 Fed. 574, 1684a
v. Schottler, 110 U. S. 347, 56
Sproat v. Donnell, 26 Me. 185, 1423
v. Porter, 9 Mass. 300, 13
Sprong v. Boston, &c., R. Co., 58 N. Y. 56, 201
Sproule v. St. Louis, &c., R. Co., 91 S. W. 657, 1830, 1842
Sprow v. Boston, &c., R. Co., 163 Mass. 330, 1151
Sprowl v. Kellar, 4 Stewart & P. (Ala.) 382, 1457
Spurgin v. Adamson, 62 Iowa, 661, 512
Spurlock v. Doman, 182 Mo. 242, 1049a
v. Pacific R. Co., 61 Mo. 319, 99
v. Port Townsend, &c., R. Co., (Wash.) 42 Pac. 520, 1233, 1241
v. Missouri Pac. R. Co., 93 Mo. 530, 1695
v. Missouri Pacific R. Co., 90 Mo. 199, 237, 868
Squiers v. Neenah, 24 Wis. 588, 1008
Squire v. Michigan, &c., R. Co., 3 Interst. Com. R. 51, 1678
v. New York, &c., Co., 98 Mass. 239, 303, 1408, 1452, 1454, 1497, 1507, 1510, 1511, 1548, 1550, 1551, 1552
Staal v. Grand Rapids, &c., R. Co., 57 Mich. 239, 670a, 1704
Staats v. Hudson River R. Co., 4 Abb. App. Dec. N. Y. 287, 670b
v. New York, &c., R. Co., 3 Keyes (N. Y.), 196, 1192
Stabenau v. Atlantic Ave. R. Co., 155 N. Y. 511, 1096cl, 1096cl
v. Vermont Central R. Co., 27 Vt. 39, 931, 1033
v. Winona, &c., R. Co., 42 Minn. 158, 1198, 1205
Stack v. New York, &c., R. Co., 177 Mass. 155, 1699
Stackman v. Chicago, &c., R. Co., 80 Wis. 428, 1269, 1283
Stackpole v. Healy, 16 Mass. 133, 1085, 1180
Stackpole v. Seymour, 127 Mass. 104, 98
Stackus v. New York, &c., R. Co., 79 N. Y. 464, 1179b
Stacy v. Milwaukee, &c., R. Co., 85 Wis. 225, 1238
v. State Bank, 5 Ill. (4 Scam.) 91, 272
Stadhecker v. Combs, 9 Rich. (L.), 193, 1401, 1725
Stading v. Chicago, &c., R. Co., 111 N. W. 460, 1205
Stafford v. Adams, 113 Mo. App. 717, 1828
v. Chicago, &c., R. Co., 114 Ill. 244, 1779
v. Chippewa, &c., R. Co., 110 Wis. 331, 711, 1082, 1095, 1096ad, 1096cb
v. Providence, 10 R. I. 567, 985
Stafford Nat. Bank v. Palmer, 47 Conn. 443, 190
Stafsky v. Southern R. Co., 143 Ala. 272, 1530, 1536
Stager v. Ridge Avenue, &c., R. Co., 119 Pa. St. 70, 1096cp, 1299, 1309, 1696, 1702
Stahl v. Lake Shore, &c., R. Co., 117 Mich. 273, 1158
v. Pennsylvania R. Co., 155 Pa. St. 309, 924
Stahler v. Philadelphia, &c., R. Co., 199 Pa. St. 383, 1378b
Stalcup v. Louisville, &c., R. Co., 16 Ind. App. 584, 1581, 1629
Staleman v. Atlantic Ave. R. Co., 155 N. Y. 511, 1096bs
Stamford v. Stamford Horse R. Co., 56 Conn. 381, 39
Stamford Bank v. Ferris, 17 Conn. 259, 72
Stamnes v. Milwaukee, &c., R. Co., 109 N. W. 100, 934a, 935, 1003
Stams v. St. Louis, &c., R. Co., 174 Mo. 53, 1334
Standard Co. v. Flower, 46 La. Ann. 315, 229
Standard Milling Co. v. White Line, &c., Co., 122 Mo. 258, 1424, 1464, 1497, 1505
Standard Oil Co. v. Fordeck, 34 Ind. App. 181, 1278a
v. Tierney, 92 Ky. 367, 1826
Standard, &c., Cable Co. v. Attorney General, 46 N. J. Eq. 270, 768
Standing v. Bowring, L. R. 27 Ch. Div. 341, 93
Standish v. Narragansett, &c., Co., 111 Mass. 512, 200, 1603
Standlee v. St. Louis, &c., R. Co., 25 Tex. Civ. App. 340, 1378a, 1378b
Standley v. Atchison, &c., R. Co., 97 S. W. 244, 1057d, 1057g
v. Henrie, &c., Co., 27 Colo. 331, 592
Stane v. Waitt, 31 Me. 409, 1401b
Stanely v. Cedar Rapids, &c., R. Co., 119 Ia. 526, 1815
Stanfield v. State, 43 Tex. Crim. 10, 731
Stange v. Dubuque, 68 Iowa, 303, 1088
Stanhope's Case, L. R. 1 Ch. 161, 151
Stanislaus Co. v. San Joaquin, &c., Co., 192 U. S. 201, 1684a, 1684b, 1684d
Stanley, Ex parte, 33 L. J. (Ch.) 535, 145, 498

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Stanley v. Albany Co. 121 U. S. 535, 736a
v. Birkenhead R. Co., 6 Simons, 264, 14
v. Cedar Rapids, &c., R. Co., 119 Ia. 526, 1096ce
v. Chicago, &c., R. Co., 101 Mich. 202, 1285
v. Chicago, &c., R. Co., 62 Mo. 508, 649, 654
v. Davenport, 54 Iowa, 463, 6, 1077, 1080
v. Luse, 36 Ore. 25, 242
v. Supervisors, 121 U. S. 535, 744, 751
v. Union Depot, &c., R. Co., 114 Mo. 606, 1096ci
v. Wabash, &c., R. Co., 100 Mo. 161, 1551
v. Wabash, &c., R. Co., 3 Interst. Com. R. 176, 1663
v. Wharton, 9 Price, 301, 715
Stanly v. Richmond, &c., R. Co., 89 N. Car. 331, 616
Stanly Co. v. Coler, 96 Fed. 284, 835
v. Coler, 190 U. S. 437, 835, 896, 898, 901, 915
Stannard v. Aurora, &c., R. Co., 220 Ill. 469, 931, 946c, 1689a
Stannards, &c., Asociation v. Brandes, 35 N. Y. Supp. 1015, 1010
Staton v. Alabama, &c., R. Co., 2 Woods (U. S.), 523, 485, 500, 527, 549, 836
v. Alabama, &c., R. Co., 2 Woods (U. S.), 506, 580, 590, 591
v. Alabama, &c., R. Co., 31 Fed. R. 585, 594
v. Allen, 5 Denio 434, 366, 1675
v. Eager, 16 Pick. 467, 1426, 1539, 1541
v. New York, &c., R. Co., 59 Conn. 272, 14
v. Wilkeson, 8 Ben. (U. S.) 357, 185
Stanwood v. Malden, 157 Mass. 17, 1086
Staples v. Fox, 45 Miss. 667, 684
Stapleton v. Grand Trunk R. Co., 133 Mich. 187, 1403, 1409, 1464, 1528
Stapley v. London, &c., R. Co., L. R. 1 Ex. 21, 1161
Starbuck v. Housatonic R. Co., 83 Hun, 534, 230
v. Mercantile Trust Co., 24 Atl. R. 32, 478
v. Mercantile Trust Co., 9 R. & Corp. L. J. 203, 251, 252
v. Murray, 5 Wend. 148, 1019
Starin v. Genoa, 23 N. Y. 439, 821, 827
v. New York, 115 U. S. 248, 652, 656a
Stark v. Muskegon Trac. Co. (Mich.) 104 N. W. 1100, 1096cm
v. Sioux City, &c., R. Co., 43 Iowa, 501, 629, 930, 973
Stark Bank v. United States, &c., Co., 34 Vt. 144, 275, 276, 440, 481
Stark County v. Ballou, 103 U. S. 745, 854
Starke v. Burke, 9 La. Ann. 341, 179, 184
v. Burke, 5 La. Ann. 740, 544, 569
Starkey v. DeGraff, 22 Minn. 431, 1058, 1059
Starnes v. Louisville, &c., R. Co., 91 Tenn. 516, 1510, 1736
Starr v. Burlington, 45 Iowa, 87, 783
v. Camden, &c., R. Co., 24 N. J. Law, 592, 1049, 1087, 1113
v. Great Northern R. Co., 67 Minn. 18, 1608, 1645
v. Rochester, 6 Wend. 565, 1054
Starrett v. Rockland Ins. Co., 65 Me. 374, 102
Starritt v. Young, 14 Wyo. 146, 1052
Star, &c., Co. v. Sibley, 57 Ill. App. 315, 1377
State v. Ackerman (Ohio), 24 L. R. A. 298, 30
v. Adams, 44 Mo. 570, 236
v. Aetna Life Ins. Co., 117 Ind. 251, 789
v. Aitken, 62 Neb. 428, 741
v. Alabama, &c., R. Co., 68 Miss. 653, 682, 694, 931a
v. Alabama, &c., R. Co., 67 Miss. 647, 699, 720
v. Ambs, 20 Mo. 214, 1668
v. American, &c., Co., 43 N. J. Law, 381, 1020
v. Ancker, 2 Rich. L. (S. C.) 245, 208
v. Anderson County, 8 Baxter 249, 903
v. Androscoggin R. Co., 76 Me. 411, 710
v. Armell, 8 Kan. 288, 1049
v. Assessor, 52 La. Ann. 228, 751a
v. Atchison, &c., R. Co., 24 Neb. 143, 47, 48, 49, 51, 53, 88, 251, 323, 370, 430, 447, 448, 931
v. Atchison, &c., R. R. Co., 8 Am. St. R. 164, 48, 53
v. Atchison, &c., R. Co., 176 Mo. 687, 51, 644
v. Atherton, 40 Mo. 209, 232
v. Atkinson, 27 N. J. Law, 420, 1015
v. Atlantic City, 34 N. J. Law, 99, 1096
v. Atlantic, &c., R. Co., 3 Wood (U. S. C. C.), 434, 500
v. Atlantic Coast Line, 48 Fla. 146, 1684e
v. Atlantic, &c., R. Co., 40 So. 875, 682, 698, 699
v. Atlantic, &c., R. Co., 53 S. E. 290, 949
v. Atlantic, &c., Co., 60 Ga. 268, 770
v. Atlantic Coast Line R. Co., 41 So. 705, 1467
v. Babcock, 21 Neb. 599, 850
v. Back, 100 N. W. 952, 737, 741, 743b
v. Bailey, 19 Ind. 452, 20, 52
v. Bailey, 16 Ind. 46, 49, 327, 328
v. Baltimore, &c., R. Co., 3 How. (U. S.) 534, 52
v. Baltimore, &c., R. Co., 36 Fed. R. 655, 1384
v. Baltimore, &c., R. Co., 15 W. Va. 362, 709, 717
v. Baltimore, &c., R. Co., 6 Gill (Md.), 363, 310, 311, 313, 319, 321
v. Baltimore, &c., R. Co., 58 Md. 482, 1257, 1689f
v. Baltimore, &c., R. Co., 69 Md. 339, 1158
v. Baltimore, &c., R. Co., 77 Md. 489, 329, 334, 338
v. Baltimore, &c., R. Co., 48 Md. 49, 747, 750

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Baltimore, &c., R. Co., 48 Md. 73, 746
v. Baltimore, &c., R. Co., 56 S. E. 518, 721
v. Bank, 6 Gill & J. 205, 602, 606
v. Barksdale, 5 Humph, 154, 709
v. Barron, 58 N. H. 370, 606
v. Barron, 57 N. H. 498, 53, 644
v. Bayonne, 35 N. J. L. 476, 1018
v. Bayonne, 44 N. J. L. 114, 783
v. Bayonne, 51 N. J. L. 428, 1103
v. Beackmo, 8 Blackf. 246, 672, 982
v. Bechtel, 22 Neb. 158, 1078, 1096j
v. Beck, 81 Ind. 500, 18, 37, 103, 337
v. Beckman, 57 N. H. 174, 730
v. Beeman, 35 Me. 242, 1020
v. Bell, 34 Ohio St. 194, 1078, 1096k
v. Beloit, 20 Wis. 79, 918
v. Bentley, 23 N. J. L. 532, 736
v. Berdetta, 73 Ind. 185, 1096
v. Bergen, &c., R. Co., 53 N. J. L. 108, 52, 1056
v. Bergenthal, 72 Wis. 314, 172
v. Bergerneck R. Co., 53 N. J. L. 108, 52
v. Bienville, &c., Co., 28 La. Ann. 204, 172
v. Billings, 55 Minn. 467, 672
v. Binniger, 42 N. J. 528, 781
v. Bishop, 7 Conn. 181, 713
v. Bishop, 51 Vt. 287, 732
v. Bisping, 123 Wis. 267, 730
v. Bissell, 4 Green Ia. 328, 823b
v. Blake, 36 N. J. L. 442, 950
v. Blend, 118 Ind. 426, 815
v. Boal, 46 Mo. 528, 644
v. Board, &c., 92 Ind. 133, 643
v. Board. 162 Ind. 580, 874, 874a
v. Board, 76 N. E. 986, 820, 832, 874, 874a
v. Bonnell, 35 Ohio St. 10, 164
v. Boston, &c., R. Co., 25 Vt. 433, 2, 53, 67, 398, 933, 1391
v. Boston, &c., R. Co., 80 Me. 430, 1157, 1174
v. Boyd, 86 N. Car. 634, 731
v. Bradley, 26 Fed. 289, 652
v. Brands, 45 N. J. Law, 332, 1041
v. Branin, 23 N. J. L. 484, 750
v. Brassfield, 67 Mo. 331, 895
v. Bridgeton, &c., Co., 62 N. J. L. 592, 1096ad
v. Brin, 30 Minn. 522, 3, 734
v. Brooklyn, &c., R. Co., 89 N. Y. 75, 926
v. Brown, 27 N. J. L. 13, 400, 419, 938
v. Brown, 38 Ohio St. 344, 643
v. Brown, &c., Co., 18 R. I. 16, 665
v. Brown, &c., Co. (R. I.) 17 L. R. A. 856, 56
v. Bryce, 7 Ohio (2d pt.), 82, 271
v. Buchanan, 29 Wash. 602, 1336
v. Bull, 16 Conn. 179, 17
v. Burgett, 151 Ind. 94, 872
v. Burke, 33 La. Ann. 498, 700
v. Butler, 15 Lea (Tenn.), 113, 584
v. Cain, 69 Kan. 186, 1096bd
v. Campbell, 32 N. J. L. 309, 1598, 1601, 1637
v. Canada Cattle Car, 85 Minn. 457, 741
State v. Canadian Pac. R. Co., 100 Me. 202, 737
v. Canal, &c., R. Co., 44 La. Ann. 526, 1092
v. Canal, &c., R. Co., 23 La. Ann. 333, 642
v. Canal, &c., R. Co., 50 La. Ann. 1189, 1096ag
v. Cape Girardeau Railroad Co., 48 Mo. 468, 34
v. Cape May (N. J.), 36 Atl. 696, 1096ag
v. Capner, 49 N. J. Law, 555, 1033, 1034, 1102
v. Cardozo, 8 S. Car. 71, 806
v. Carl, 43 Ark. 353, 1414
v. Carragan, 36 N. J. L. 52, 985
v. Carrigan, 39 N. J. L. 35, 764
v. Centralia-Chehalis, &c., Co., 42 Wash. 632, 952c, 960, 1096f
v. Central Iowa R. Co., 71 Iowa, 410, 461, 471, 476, 525, 526, 532
v. Central N. J., &c., Co., 53 N. J. L. 341, 1029
v. Central Ohio, &c., Ass'n., 29 Ohio St. 399, 18
v. Central, &c., Co., 21 Nev. 260, 736
v. Chamber of Commerce, 20 Wis. 68, 440
v. Chapman, 44 Conn. 595, 161
v. Charleston, 1 Const. R. (Treadway, S. C.) 36, 54
v. Charleston, 10 Rich. (S. Car.) L. 491, 814, 826, 831, 843
v. Cheraw, &c., R. Co., 16 S. Car. 524, 76, 82, 83, 86, 92, 98
v. Chester, &c., R. Co., 13 So. Car. 290, 847
v. Chicago, &c., R. Co., 86 Iowa, 641, 674, 695
v. Chicago, &c., R. Co., 99 N. W. 309, 1471
v. Chicago, &c., R. Co., 101 N. W. 23, 1468
v. Chicago, &c., R. Co., 36 Minn. 402, 947, 1010
v. Chicago, &c., R. Co., 40 Minn. 267, 1671
v. Chicago, &c., R. Co., 29 Neb. 412, 636, 639, 671a, 682, 698, 1102, 1106
v. Chicago, &c., R. Co., 4 S. D. 261, 616, 617
v. Chicago, &c., R. Co., 79 Wis. 259, 639, 699, 1145
v. Chicago, &c., R. R. Co., 2 L. R. A. 564, 335
v. Chicago, &c., R. Co., 33 Fed. 391, 652, 690
v. Chicago, &c., R. Co., 37 Fed. R. 497, 646
v. Chicago, &c., R. Co., 68 Iowa, 135, 1100
v. Chicago, &c., R. Co., 70 Iowa, 262, 658
v. Chicago, &c., R. Co., 86 Iowa, 304, 682, 703
v. Chicago, &c., R. Co., 38 Minn. 281, 674, 676, 682
v. Chicago, &c., R. Co., 40 Minn. 267, 690, 1671
v. Chicago, &c., R. Co., 19 Neb. 476, 682
v. Chicago, &c., R. Co., 25 Neb. 156, 28, 339, 956

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Chicago, &c., R. Co., 25 Neb. 165, 26, 956
v. Chicago, &c., R. Co., 122 Ia. 22, 668, 670a, 712
v. Chicago, &c., R. Co., 16 S. Dak. 517, 682a, 685, 695
v. Chicago, &c., R. Co., 162 Mo. 391, 735
v. Chicago, &c., R. Co., 89 Mo. 523, 747
v. Chicago, &c., R. Co., 195 Mo. 228, 741, 774
v. Chicago, &c., R. Co., 85 Minn. 416, 973
v. Chicago, &c., R. Co., 128 Wis. 449, 744, 762, 768
v. Chicago, &c., R. Co., 12 S. Dak. 305, 682
v. Chicago, &c., R. Co., 37 N. W. 782, 686
v. Chovin, 7 Iowa, 204, 202, 1576
v. Chue Fan, 42 Fed. R. 865, 646
v. Chute, 34 Minn. 135, 161
v. Cincinnati, 23 Ohio St. 445, 193
v. Cincinnati, &c., R. Co., 17 Ohio St. 103, 1033, 1045
v. Cincinnati, &c., R. Co., 47 Ohio St. 130, 388, 644, 1467
v. Cincinnati, &c., R. Co., 37 Ohio St. 157, 965
v. Cincinnati, &c., Co., 18 Ohio St. 262, 53
v. Cincinnati, &c., R. Co., 47 Ohio St. 130, 1391
v. Citizens', &c., Asso., 6 Mo. App. 163, 644
v. Clark, 14 S. E. 84, 662
v. Clark, 23 Minn. 422, 819, 851a
v. Clarke, 25 N. J. Law, 54, 954
v. Clarke, 109 N. Car. 739, 728, 1599
v. Clay County, 46 Mo. 231, 918
v. Clemens, 38 Iowa, 257, 730
v. Cleveland, &c., R. Co., 137 Ind. 75, 662
v. Cleveland, &c., R. Co., 8 Ohio C. C. R. 604, 714, 722
v. Cleveland, &c., R. Co., 70 Ohio St. 506, 1336
v. Clinton, &c., R. Co., 4 Rob. (La.) 445, 47
v. Cobb, 64 Ala. 127, 484
v. Cockrem, 25 La. Ann. 356, 1096ab
v. Collector, &c., 38 N. J. L. 270, 750
v. Collectors of Chambersburg, 8 Vroom, 228, 770
v. Columbia, 111 Mo. 365, 888
v. Commercial Bank, 14 Miss. 218, 48, 213
v. Commissioners, 10 Kan. 569, 325
v. Commissioners, 12 Kan. 426, 898
v. Commissioners, 28 Kan. 431, 1015
v. Commissioners, 38 Kan. 317, 842
v. Commissioners, 23 N. J. L. 510, 42, 415, 960
v. Commissioners, 37 N. J. L. 228, 60
v. Commissioners, 11 Ohio St. 183, 900
v. Commissioners, 12 Ohio St. 596, 900
v. Commissioners, 37 Ohio St. 526, 892, 898
v. Commissioners, 39 Ohio St. 58, 934
State v. Concord R. Co., 62 N. H. 375, 342
v. Concord, &c., R. Co., 59 N. H. 85, 354, 720
v. Consolidation Coal Co., 46 Md. 1, 51, 519
v. Coosaw, &c., Co., 45 Fed. 804, 708
v. Corbett, 57 Minn. 345, 662, 1599
v. Corrigan, &c., St. Co., 85 Mo. 263, 1077, 1092, 1096l, 1096am
v. Corwin, 4 Mo. 609, 712
v. Council Bluffs, &c., R. Co., 11 Neb. 354, 48
v. County Court, 51 Mo. 522, 819, 852
v. County Judge, 12 Iowa 237, 918
v. Cowen, 83 Md. 549, 482
v. Cox, 88 Ind. 254, 282
v. Cozzens, 42 La. Ann. 1069, 721
v. Craig, 69 Mo. 565, 918
v. Crane, 36 N. J. L. 394, 1015
v. Crawford, 28 Kan. 726, 631
v. Crawfordsville, &c., Co., 102 Ind. 283, 50, 51, 52
v. Creeden, 78 Iowa, 556, 1464
v. Critchett, 37 Minn. 13, 18, 20
v. Cruser, 14 N. J. Law 401, 1045
v. Cumberland, &c., Co., 40 Md. 22, 764
v. Curran, 7 Eng. (Ark.) 321, 57
v. Curtis, 9 Nev. 325, 193, 246, 263
v. Dallas County, &c., 72 Mo. 329, 819
v. Davenport, 12 Iowa, 335, 918
v. Daviess Co., 64 Mo. 30, 862
v. Davis, 23 Ohio St. 434, 16
v. Dawson, 3 Hill (S. Car.) 100, 979
v. Dawson, 16 Ind. 40, 16, 17
v. Day, &c., Co., 41 Fed. 228, 646
v. Dayton Traction Co., 64 Ohio St. 272, 1096bt, 1096bu
v. Dayton, &c., R. Co., 36 Ohio St. 434, 630, 643, 1092
v. Dean, 23 N. J. L. 335, 781
v. Dearing 173 Mo. 492, 1120
v. Delaware, &c., Co., (Del.) 31 Atl. 714, 21
v. Delaware, &c., R. Co., 30 N. J. L. 473, 26, 763
v. Deleware, &c., R. Co., 48 N. J. L. 55, 640, 1564, 1600, 1690
v. Delaware Co., 92 Ind. 499, 863
v. Demaree, 80 Ind. 519, 719
v. Des Moines, &c., R. Co., 84 Iowa, 419, 682, 694
v. Des Moines, &c., R. Co., 87 Ia. 644, 931a
v. Dillon, 36 Ind. 388, 18
v. Dillon, 125 Ind. 65, 161
v. District Court, 42 Minn. 247, 1098, 1102, 1103
v. District Court 35 Minn. 461, 1119, 1120
v. Dist. Court, 31 Minn. 354, 787, 787a
v. Dist. Court, 88 Pac. 44, 920, 960, 1056
v. District Court, 77 Minn. 248, 980
v. Divine, 98 N. Car. 778, 670, 1183, 1213
v. Dodge City R. Co., 53 Kan. 377, 1a, 37, 70, 431
v. Dodge City, &c., Ry. Co., 53 Kan. 329, 638, 642, 1056c

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Doherty, 60 Me. 504, 862
v. Douglass, 44 Kan. 618, 730
v. Dover, 10 N. H. 394, 1045
v. Dover, &c., R. Co., 43 N. J. L. 528, 962, 1033, 1041, 1046, 1121
v. Drummond, 46 N. J. L. 644, 1116, 1121
v. Dubuque, &c., R. Co., 88 Iowa, 508, 719
v. Duluth, 108 N. W. 269, 1109
v. Duluth, &c., R. Co., 76 Minn. 96, 6
v. East Fifth St. R. Co., 140 Mo. 539, 1096n
v. Easton, &c., R. Co., 36 N. J. L. 181, 974, 1023, 1025, 1098, 1116, 1121
v. East Orange, 41 N. J. L. 127, 1082, 1114
v. Edgefield, &c., R. Co., 6 Lea (Tenn.), 353, 589, 591
v. Edwards, 109 Mo. 315, 732
v. Eleventh Judical District Ct., 54 Minn. 341, 1. 9
v. Elizabeth, 37 N. J. L. 330, 784, 786
v. Elizabeth, 54 N. J. Law 462, 1086
v. Elizabeth, 58 N. J. L. 619, 1096ag
v. Ellis, 45 La. Ann. 1418, 563
v. Ellwood, 17 R. I. 763, 1700
v. Engle, 34 N. J. L. 425, 764
v. Fagan, 22 La. Ann. 545, 606
v. Fagan, 42 Conn. 32, 161
v. Farmers Loan Co., 81 Tex. 530, 511
v. Ferguson, 31 N. J. L. 107, 262
v. Ferguson, 33 N. H. 424, 191
v. Ferris, 42 Conn. 560, 78, 157
v. Fidelity, &c., Co., 39 Minn. 538, 644
v. Fidelity, &c., Co., 49 Ohio St. 440, 20
v. Fifth Judic. Dist. Ct. 29 Mont. 153, 1054
v. Findley, 67 Wis. 86, 1014
v. First National Bank, 89 Ind. 302, 98
v. First National Bank, 2 S. Dak. 568, 709
v. Fisher, 43 N. J. Law, 377, 1041
v. Flavell, 24 N. J. L. 370, 736
v. Fletcher, 24 Ore. 295, 1700
v. Flint, &c., R. Co., 89 Mich. 481, 806
v. Florida, &c., R. Co., 15 Fla. 690, 495, 503
v. Floyd, 39 S. Car. 23, 719
v. Fon du Lac, 42 Wis. 287, 1015, 1019 1021
v. Ford Co., 12 Kan. 441, 20
v. Fore Creek, &c., Co., 33 W. Va. 188, 665
v. Foster, 2 Halst. (N. J.) 101, 54
v. Foulkes, 94 Ind. 493, 18
v. Fourth, &c., Turnp. Co., 15 N. H. 162, 52
v. Francis, 95 Mo. 44, 643
v. Fremont, &c., R. Co., 22 Neb. 313, 640, 674, 676, 682, 698, 701
v. Fremont, &c., R. Co., 23 Neb. 117, 1096ah, 1593
v. Fry, 81 Ind. 7, 728, 1599
v. Fuller, 34 N. J. Law, 227, 782
v. Galveston, &c., R. Co., 97 S. W. 71, 738, 759, 762, 765
v. Games, 68 Mo. 289, 568
State v. Garroutte, 67 Mo. 445, 819, 836, 861, 874
v. Gas Light Co., 18 Ohio St. 262, 1096u
v. Gaster, 45 La. Ann. 636, 677
v. Gates, 22 Wis. 210, 918
v. Georgia Co. (N. C.) 54 Am. & Eng. R. Cas. 299, 548
v. Gibbs, 44 N. J. Law, 169, 1045
v. Gibson, 21 Ark. 140, 586
v. Gibson, 36 Ind. 389, 1665
v. Gilmore, 24 N. H. 461, 709, 716, 1372
v. Glenn, 18 Nev. 34, 495
v. Glidden, 55 Conn. 46, 1688
v. Glover, 155 U. S. 513, 831
v. Godwinville, &c., R. Co., 44 N. J. L. 496, 52
v. Gooch, 44 Fed. 276, 667
v. Goode, 68 Iowa, 593, 734
v. Goodwill, 33 W. Va. 179, 665
v. Goold, 53 Me. 279, 200, 1637
v. Goshen Tp., 14 Ohio St. 569, 885
v. Goss, 59 Vt. 266, 1414a, 1466, 1492
v. Gracey, 11 Nev. 223, 643
v. Grand Island & W. C. R. Co., 27 Neb. 694, 641
v. Grand Island, &c., R. Co., 31 Neb. 209, 1048
v. Grand Trunk R. Co., 58 Me. 176, 716, 1368, 1578, 1588a, 1592
v. Grand Trunk R. Co., 60 Me. 145, 716, 1359, 1368
v. Grand Trunk, &c., R. Co., 61 Me. 114, 716, 1363
v. Great Northern Ry. Co., 14 Mont. 381, 639
v. Great Northern R. Co., 111 N. W. 289, 1662c, 1670a
v. Great Northern R. Co., 145 Fed. 438, 1673
v. Green, 37 Ohio St. 227, 161
v. Greene County, 54 Mo. 540, 819, 842, 886, 913
v. Greer, 78 Mo. 188, 160
v. Guerrero, 12 Nev. 105, 98
v. Gulf, &c., R. Co., 44 S. W. 542, 1673
v. Guttenberg, 38 N. J. Law, 419, 862
v. Hager, 91 Mo. 452, 872
v. Haight, 34 N. J. L. 319, 750
v. Haight, 35 N. J. L. 40, 750
v. Hamilton, 5 Ind. 310, 738
v. Hamilton, 40 Kan. 323, 898
v. Hancock, 33 N. J. L. 315, 738a, 750
v. Hancock, 35 N. J. Law, 537, 415, 960
v. Hancock County, 11 Ohio St. 183, 835, 856
v. Hannibal, &c., Co., 30 Mo. App. 494, 712
v. Hannibal, &c., Co., 37 Mo. 265, 741a, 744
v. Hannibal, &c., R. Co., 51 Mo. 532, 621
v. Hannibal, &c., R. Co., 86 Mo. 13, 639, 643, 1105, 1106, 1112
v. Hannibal & St. J. R. Co., 101 Mo. 136, 895
v. Hare, 121 Ind. 308, 520, 532
v. Hargrave, 97 N. Car. 457, 1689l
v. Harper, 30 S. Car. 586, 843, 894

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Harris, 96 Mo. 29, 836, 849
v. Harris, 3 Ark. 570, 155
v. Harrison, 113 Ind. 434, 680
v. Hartford St. R. Co., 76 Conn. 174, 1096aa
v. Hartford, &c., R. Co., 29 Conn. 538, 458, 638, 699
v. Haskell, 40 Kan. 65, 875
v. Hastings, 24 Minn. 78, 866
v. Haven, 59 Vt. 399, 734
v. Haworth, 122 Ind. 462, 738, 837
v. Hayes, 78 Mo. 307, 1703
v. Hays, 50 Mo. 34, 487
v. Heckart, 62 Mo. App. 427, 286
v. Heidinhain, 42 La. Ann. 483, 1082, 1096ag
v. Helgen, 1 Speer (S. Car.), 310, 712
v. Henderson, 38 Ohio St. 644, 361
v. Herrmann, 75 Mo. 340, 774
v. Hessenkamp, 17 Iowa, 25, 730
v. Hicks, 44 La. Ann. 770, 1665
v. Highland, 25 Minn. 355, 874
v. Hilbert, 72 Wis. 184, 65, 1076, 1096h
v. Hill, 1 Houst. Crim. (Del.) 421, 734
v. Hinson, 82 N. Car. 597, 731
v. Hirsch, 125 Ind. 207, 710
v. Hoboken, 35 N. J. L. 205, 974
v. Hoboken, 41 N. J. L. 71, 1092, 1096o
v. Hogue, 71 Wis. 384, 1010
v. Holladay, 72 Mo. 499, 873
v. Horn, 34 Kan. 556, 1034
v. Hoskins, 60 Minn. 168, 1336
v. Hoskins, 58 Minn. 35, 44, 663, 664, 668, 1336
v. Hoskins (Minn.), 25 L. R. A. 759, 44, 663, 664, 668, 1336
v. Hotaling, 44 N. J. L. 347, 783
v. Howe, 25 Ohio St. 588, 680
v. Hudson River, &c., Co., (N. J.) 25 Atl. 853, 1023
v. Hudson, &c., R. Co., 38 N. J. Law, 548, 1029, 1041
v. Hudson Terminal R. Co., 46 N. J. L. 289, 4, 973
v. Hug, 44 Mo. 116, 1033
v. Hungerford, 39 Minn. 6, 200, 201, 1603
v. Hunton, 28 Vt. 594, 157
v. Hurley, 54 Me. 562, 688
v. Illinois, &c., R. Co., 33 Fed. 721, 646, 708
v. Illinois Central R. Co., 33 Fed. R. 730, 977
v. Illinois Central R. Co., 27 Ill. 64, 738
v. Independent School District, 44 Iowa, 227, 53
v. Indiana, &c., Co., 120 Ind. 575, 658, 691
v. Indiana, &c., R. Co., 133 Ind. 69, 44, 662, 710, 714, 722, 1670
v. Indianapolis, &c., R. Co., 160 Ind. 45, 1057a, 1082a
v. Ingram, 5 Ired. (N. C.) 441, 1096aj
v. Inhabitants of City of Trenton, 53 N. J. L. 132, 1082
v. Inhabitants of City of Trenton, 54 N. J. L. 92, 1080
v. International Invest. Co., 88 Wis. 512, 37
v. International, &c., R. Co. (Tex.) 35 S. W. 1007, 54
State v. Intoxicating Liquors, 73 Me. 278, 1425
v. Iowa Central R. Co., 91 Ia. 275, 24
v. Ireland, 130 Ind. 77, 54
v. Ironton, &c., Co., 37 Ohio St. 45, 2
v. Jack, 145 Fed. 281, 578, 608, 1056c
v. Jackson, &c., R. Co., 69 Fed. 116, 806
v. Jacksonville Terminal Co., 41 Fla. 377, 674, 698
v. Jacksonville, &c., R. Co., 20 Fla. 616, 986
v. Jacksonville, &c., R. Co., 15 Fla. 201, 555, 556, 566, 570
v. Jacksonville, &c., R. Co., 29 Fla. 590, 639, 1076, 1088, 1092, 1096c, 1096h, 1096al, 1096aj, 1096al
v. Janesville, &c., Co., 87 Wis. 72, 698
v. Jennings, 27 Ark. 419, 837
v. Jennings, 48 Wis. 549, 863, 874, 917
v. Jersey City, 29 N. J. Law, 170, 665, 1096ag
v. Jersey City, 30 N. J. L. 148, 783
v. Jersey City, 42 N. J. L. 97, 784, 786
v. Jersey City, 52 N. J. Law, 65, 1091
v. Johns, 124 Mo. 379, 730
v. Johnson, 26 Ark. 281, 815
v. Jones, 51 Ohio St. 492, 740, 741
v. Judges, 51 Minn. 530, 782
v. Julow (Mo.), 31 S. W. 781, 1336
v. Justus, 11 Ore. 178, 1700
v. Kansas City, &c., R. Co., 32 Fed. 722, 662, 694, 714, 720
v. Kansas City, &c., R. Co., 54 Ark. 546, 721
v. Kansas City, &c., R. Co., 51 La. Ann. 200, 641
v. Kansas, &c., R. Co., 47 Kan. 497, 682
v. Kentucky, &c., R. Co., 136 Ind. 195, 662, 722
v. Keokuk, &c., R. Co., 99 Mo. 30, 28, 331, 747
v. Kidd, 125 Ala. 413, 743a
v. Kill Buck, &c., Co., 38 Ind. 71, 51
v. Kilty, 28 Minn. 421, 730
v. King, 104 La. Ann. 735, 1096au
v. King Co., Super Ct. 31 Wash. 445, 958, 965a, 973
v. Kingan, 51 Ind. 500, 51
v. Kinney, 34 Minn. 311, 1637
v. Klein, 126 Ind. 68, 1669
v. Kluseman, 53 Minn. 541, 730
v. Knight Co., 60 Fed. 934, 159
v. Knowles, 41 So. 439, 858
v. Kokomo, 108 Ind. 74, 858
v. Kolsem, 130 Ind. 434, 738, 837
v. Kupferle, 44 Mo. 154, 644
v. Kurtzeborn, 78 Mo. 98, 680
v. Ladies of the Sacred Heart, 99 Mo. 533, 62
v. Lake City, 25 Minn. 404, 860, 874, 917
v. Lake Roland El. R. Co., 84 Md. 163, 1636, 1833
v. Lancaster County, 6 Neb. 214, 842, 863
v. Lathrop, 10 La. Ann. 398, 741

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Latrobe, 81 Md. 222, 1082
v. Laughlin, 53 Mo. App. 542, 172
v. Laverack, 34 N. J. L. 201, 1085
v. Lazarus, 40 La. Ann. 856, 806
v. Leete, 16 Nev. 242, 157
v. Lesueur, 145 Mo. 322, 335
v. Lime, 23 Minn. 521, 859, 866
v. Lindoen, 87 Iowa, 702, 1700
v. Linkhaw, 69 N. Car. 214, 1700
v. Linn County Court, 44 Mo. 504, 814
v. Little, 49 N. J. Law, 182, 1054
v. Little Rock, &c., R. Co., 31 Ark. 701, 812
v. Loomis, 115 Mo. 307, 665
v. Louisiana, &c., R. Co., 196 Mo. 523, 738b, 741a
v. Louisville, &c., R. Co., 91 Tenn. 445, 1090
v. Louisville, &c., R. Co., 86 Ind. 114, 718, 948a, 1057
v. Louisville, &c., R. Co., 40 So. 855, 682a
v. Lubke, 15 Mo. App. 152, 1045, 1051
v. Lyle, 100 N. Car. 497, 951
v. MacDonald, 26 Minn. 445, 1041
v. Macon County Court, 41 Mo. 453, 875
v. Macon County Court, 68 Mo. 29, 892
v. Madison, 7 Wis. 688, 392
v. Madison, 15 Wis. 30, 918
v. Madison, &c., 72 Wis. 612, 49, 1079, 1088, 1096d
v. Maine Cent. R. Co., 60 Me. 490, 716, 1363, 1374
v. Maine Cent. R. Co., 66 Me. 488, 329, 330, 770
v. Maine Cent. R. Co., 76 Me. 357, 716, 1163, 1166
v. Maine, &c., R. Co., 77 Me. 538, 716, 1689g
v. Maine Cent. R. Co., 81 Me. 84, 716, 1630
v. Manchester, &c., R. Co., 52 N. H. 528, 716, 1310, 1368, 1374
v. Mansfield, 23 N. J. L. 510, 41, 393, 394, 750
v. Manufacturers, &c., Assn., 24 L. R. A. 252, 18, 241
v. Marietta, &c., R. Co., 35 Ohio St. 154, 553, 578
v. Marshall, 69 Miss. 486, 179
v. Martin, 51 Kan. 462, 36, 48, 51, 919a
v. Mason City, &c., R. Co., 85 Iowa, 516, 685, 699, 1145
v. Mayhew, 2 Gill (Md.), 487, 40
v. Mayor, 46 La. Ann. 1276, 874
v. Mayor, 32 Neb. 568, 845
v. Mayor, 24 N. J. Law, 662, 1019
v. Mayor, 27 N. J. L. 493, 1082
v. Mayor, 33 N. J. L. 57, 191
v. Mayor, 38 N. J. L. 85, 783
v. Mayor, 41 N. J. L. 71, 1082
v. Mayor, 52 N. J. L. 65, 1076
v. Mayor, 52 Wis. 423, 918
v. Mayor, 71 Wis. 502, 1054
v. Mayor, 109 U. S. 285, 840
v. Mayor, 50 Atl. 620, 787
v. Maze, 6 Humph. (Tenn.) 17, 712
v. McBride, 4 Mo. 303, 263
v. McCann, 28 Ohio St. 198, 1665
v. McCrillus, 4 Kan. 250, 918
v. McDaniel, 22 Ohio St. 354, 159, 644
v. McGrath, 86 Mo. 239, 87
State v. McHatton, 15 Mont. 159, 986
v. McIver, 2 So. Car. 25, 2
v. McMinnville, &c., R. Co., 6 Lea, 369, 464
v. Mercantile Bank, 95 Tenn. 212, 748
v. Merchant, 37 Ohio St. 251, 563
v. Merchants', &c., Ins. Co., 8 Humph. (Tenn.) 234, 54
v. Merry, 3 Mo. 278, 54
v. Messenger, 27 Minn. 119, 1007
v. Mexican Gulf Ry. Co., 3 Rob. (La.) 513, 488
v. Meyer, 1 Speer (S. Car.), 305, 712
v. Milk, 11 Fed. 389, 806
v. Miller, 1 Vroom (N. J.) 368, 768, 770
v. Miller, 23 N. J. L. 383, 1054
v. Miller, 54 Kan. 244, 553
v. Milwaukee, 25 Wis. 122, 840
v. Milwaukee, &c., R. Co., 45 Wis. 579, 49, 53, 644
v. Milwaukee, &c., R. Co., 29 Wis. 454, 1096u
v. Milwaukee, &c., R. Co., 116 Wis. 142, 6, 1096bf
v. Mims, 26 Minn. 191, 734
v. Minneapolis, 32 Minn. 501, 874
v. Minneapolis, &c., R. Co., 39 Minn. 219, 637, 639, 671a, 1096al, 1106, 1111
v. Minneapolis, &c., R. Co., 80 Minn. 191, 1683, 1684g, 1686
v. Minneapolis, &c., R. Co., 40 Minn. 156, 682
v. Minneapolis, &c., R. Co., 41 N. W. 465, 686
v. Minneapolis, &c., R. Co., 186 U. S. 257, 1684b
v. Minnesota Cent. R. R. Co., 36 Minn. 246, 48, 49, 50, 519
v. Minnesota, &c., R. Co., 40 Minn. 213, 50, 51, 88
v. Mississippi, &c., R. Co., 20 Ark. 495, 48
v. Minneapolis, &c., R. Co., 80 Minn. 191, 356, 688, 698
v. Minneapolis, &c., R. Co., 87 Minn. 195, 950
v. Minneapolis, &c., R. Co., 90 Minn. 88, 1110
v. Minnesota, &c., R. Co., 80 Minn. 108, 1082, 1106, 1111
v. Missouri Pac. R. Co., 25 Neb. 164, 956
v. Missouri Pac. R. Co., 71 Mo. App. 385, 1647
v. Missouri Pac. R. Co., 105 N. W. 983, 1025
v. Missouri, &c., R. Co., 29 Neb. 550, 1465, 1678
v. Missouri, &c., Ry. Co., 33 Kan. 176, 639, 1106, 1111
v. Missouri, &c., R. Co., 47 Kan. 497, 1618
v. Mitchell, 31 Ohio St. 592, 1008
v. Mitchell, 50 Kan. 289, 680
v. Mobile, &c., R. Co., 59 Ala. 321, 642, 699, 1564
v. Mobile, &c., R. Co., 86 Miss. 172, 458, 461, 930, 931
v. Monarch, &c., R. Co., 30 Conn. 290, 76
v. Monongahela R. Co., 37 W. Va. 108, 720
v. Montague, 117 U. S. 602, 495

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Montana R. Co., 21 Mont. 221, 324, 433, 447, 455
v. Montclair R. Co., 35 N. J. Law, 328, 41, 964, 966, 1054
v. Montgomery, 74 Ala. 226, 900
v. Moore, 104 N. Car. 714, 1670
v. Moore, 113 N. Car. 697, 666
v. Morgan, 28 La. Ann. 482, 385
v. Morgan, &c., R. Co., 111 La. Ann. 120, 1102
v. Morris, 73 Tex. 435, 52
v. Morris, &c., Co., 23 N. J. L. 360, 213, 709, 718, 1076
v. Morristown, 93 Tenn. 239, 893
v. Morristown Fire Ass'n., 23 N. J. L. 195, 76
v. Murphy, 16 R. I. 528, 1689i
v. Musgang, 51 Minn. 556, 734
v. Nashville University, 4 Humph. (Tenn.) 157, 21
v. Nashville, &c., R. Co., 39 So. 984, 682
v. Nashville, &c., Co., 86 Tenn. 438, 750
v. National Docks, &c., Co., 55 N. J. L. 194, 1027
v. Nebraska Tel. Co., 17 Neb. 126, 458, 1690
v. Neely, 30 S. Car. 587, 843, 847, 889
v. Nelson, 21 Neb. 572, 865
v. Nelson (Ohio St.), 39 N. E. 22, 1336
v. Nelson, 52 Ohio St. 88, 1336
v. Neville, 110 Mo. 345, 1010
v. Newark, 1 Dutcher (N. J.), 315, 41
v. Newark, 26 N. J. L. 520, 750
v. Newark, 27 N. J. L. 185, 784
v. Newark, 28 N. J. L. 529, 964
v. Newark, 35 N. J. L. 168, 782
v. New Haven, &c., R. Co., 37 Conn. 153, 641,
v. New Haven, &c., R. Co., 41 Conn. 134, 458, 641, 1411
v. New Haven, &c., R. R. Co., 43 Conn. 351, 44, 641, 662
v. New Haven, &c., Co., 45 Conn. 331, 929, 930, 1111
v. New Orleans, &c., R. Co., 30 La. Ann. 308, 98, 306
v. New Orleans, 34 La. Ann. 477, 918
v. New Orleans, &c., R. Co., 37 La. Ann. 589, 642, 1092
v. New Orleans, &c., R. Co., 42 La. Ann. 138, 637, 641
v. New Orleans, &c., R. Co., 49 La. Ann. 1571, 1096ag
v. Newport St. R. Co., 16 R. I. 533, 1080, 1096aa
v. New York, &c., R. Co., 60 Conn. 326, 757
v. New York, &c., R. Co., 71 Conn. 43, 1106
v. Noble, 118 Ind. 350, 675, 677, 1015
v. Nonconnah, &c., Co. (Tenn.) 17 S. W. 128, 49
v. Norfolk, &c., R. Co., 33 W. Va. 440, 717
v. Northeastern R. Co., 9 Rich. L. (S. C.) 247, 638, 698, 1106
v. Northern C. R. Co., 18 Md. 193, 27, 339, 389, 495, 554
v. Northern Cent. R. Co., 44 Md. 131, 56, 770
v. Northern Express Co., 27 Mont. 419, 762
State v. Northern Pac. R. R. Co., 36 Minn. 207, 332, 1114e
v. Northern Pac. R. Co., 32 Minn. 294, 747
v. Northern Pac. R. Co., 118 N. W. 269, 1102
v. Northern, &c., R. Co., 90 Minn. 277, 931a
v. Norwalk, &c., Turnp. Co., 10 Conn. 157, 930
v. Norwich, &c., R. R. Co., 30 Conn. 290, 76
v. Noyes, 47 Me. 189, 32, 43, 58, 59, 70, 665, 724, 968, 1079, 1096n
v. Oberlin, &c., Assn., 35 Ohio St. 258, 50
v. O'Conner, 78 Wis. 282, 1100
v. Ohio, &c., R. Co., 23 Ind. 362, 709
v. Ohio River R. Co., 38 W. Va. 242, 719
v. Ohio, &c., R. Co., 6 Ohio Cir. Ct. R. 415, 95
v. Old Town Bridge Co., 85 Me. 17, 126
v. Oliver, 55 Kan. 711, 730
v. Omaha, &c., Co., 110 N. W. 874, 1669
v. Osawkee Township, 14 Kan. 418, 814
v. Overton, 24 N. J. L. 435, 191, 194, 199, 202, 1280, 1595, 1602
v. Parker, 16 Nev. 79, 732
v. Parker, 53 N. J. L. 183, 1041
v. Parkinson, 5 Nev. 15, 40
v. Parks, &c., Co., 58 Minn. 330, 190
v. Park & Nelson Lumber Co. (Minn.) 10 Lewis Am. R. R. & Corp R. 585, 49
v. Passaic, 54 N. J. L. 340, 786
v. Paterson, &c., R. Co., 43 N. J. Law, 505, 637, 639, 642, 699
v. Pawtuxet Turnpike Co., 8 R. I. 182, 49
v. Peel, &c., Co., 36 W. Va. 802, 665
v. Pennsylvania, &c., Co., 23 Ohio St. 121, 50
v. Pennsylvania R. Co., 133 Ind. 700, 722, 1670
v. Pennsylvania R. Co., 42 N. J. L. 490, 621
v. Penny, 19 So. Car. 218, 667
v. Pensacola, &c., R. Co., 27 Fla. 403, 637, 641, 699
v. People's, &c., Assn., 42 Ohio St. 579, 50, 88
v. People's &c., Assn. 43 N. J. L. 389, 98
v. Person, 32 N. J. L. 134, 61
v. Perth Amboy, 52 N. J. L. 132, 1013
v. Philadelphia, &c., R. Co., 47 Md. 76, 1308
v. Philadelphia, &c., R. Co., 60 Md. 555, 1286, 1308
v. Phillips, 79 Me. 506, 164
v. Pinher, 28 Kan. 127, 48
v. Pittsburgh, &c., R. Co., 50 Ohio St. 239, 48, 644
v. Pittsburgh, &c., R. Co., 135 Ind. 578, 329, 722
v. Pittsburgh, &c., 68 Ohio St. 9, 1379
v. Police Judge, 111 U. S. 716, 918

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Pomeroy, 25 Kan. 349, 218
v. Porter, 26 Mo. 201, 734
v. Portland, &c., R. Co., 57 Me. 402, 1057c
v. Portland, &c., Co., 153 Ind. 483, 52
v. Port Royal, &c., R. Co., 56 Fed. R. 333, 652
v. Powell, 44 Mo. 436, 1804
v. Poynier, 36 La. Ann. 572, 734
v. Prince, 45 Wis. 610, 858
v. Proprietors Morris Aqueduct (N. J.), 33 Atl. R. 252, 958, 973
v. Railroad Comrs., 56 Conn. 308, 682, 960
v. Railroad Comrs., 41 N. J. Law 235, 563, 606
v. Railroad Co., 24 W. Va. 783, 1668, 1669
v. Railway Co., 40 Ohio St. 504, 49, 923
v. Railroad Co., 101 N. W. 23, 1454
v. Railroad Comm'rs. 56 S. E. 666, 675
v. Rainey, 74 Mo. 229, 874
v. Rapp, 39 Minn. 65, 952
v. Ravine, &c., Com., 39 N. J. Law, 668, 672
v. Ray, 39 So. 521, 731
v. Ray, 109 N. Car. 736, 662, 728
v. Real Estate Bank, 5 Ark. 595, 50, 52, 603
v. Receiver, &c., 38 N. J. Law, 299, 750
v. Reed, 38 N. H. 59, 1019
v. Republican Valley R. Co., 17 Neb. 647, 639, 641, 662, 699, 1518
v. Richmond, &c., R. Co., 72 N. C. 634, 67, 435, 467
v. Rio Grande R. Co., 41 Tex. 217, 55
v. Riordan, 24 Wis. 484, 845
v. Rivers, 66 Iowa, 653, 565
v. Rives, 5 Ired. L. (N. C.) 297, 49, 67, 71, 520, 931
v. Robbins, 124 Ind. 308, 666
v. Robinson, 57 Md. 486, 308
v. Roggen, 22 Neb. 118, 836
v. Rohiffs, (N. J.) 19 Atl. 1099, 159
v. Rombauer, 46 Mo. 155, 98
v. Roscoe, 25 Minn. 445, 874
v. Ross, 122 Mo. 435, 551, 564
v. Royalton, &c., Co., 11 Vt. 431, 48, 51
v. Runyon, 41 N. J. L. 98, 771
v. Rusk, 55 Wis. 465, 794, 797
v. St. Louis, &c., R. Co., 117 Mo. 1, 738a
v. St. Paul Co., &c., 92 Ind. 42, 18, 639, 1092, 1102, 1105, 1111
v. St. Paul St., &c., Co., 42 Minn. 142, 1
v. St. Paul, &c., R. Co., 35 Minn. 222, 47, 53
v. St. Paul, &c., R. Co., 40 Minn. 363, 662
v. St. Paul, &c., R. Co., 42 Minn. 142, 1453
v. St. Paul, &c., R. Co., 35 Minn. 131, 1096ai, 1096aj
v. St. Paul &c., R. Co., 108 N. W. 261, 662, 1082, 1102, 1103, 1109, 1111
v. Saline Co., 51 Mo. 350, 631, 833
State v. Saline Co. Ct., 48 Mo. 390, 836, 843
v. Salt Lake City, 25 Minn. 404, 853
v. Saunders (N. H.), 18 L. R. A. 646, 631
v. Savage, 65 Neb. 714, 737, 738, 739
v. Savanah, &c., Co., 26 Ga. 665, 638
v. School Dist., 10 Neb. 544, 898, 900
v. Scott, 22 Neb. 628, 956
v. Scripture, 42 N. H. 485, 732
v. Seaboard, &c., R. Co., 52 Fed. 450, 329
v. Seaboard Air Line, 48 Fla. 152, 1684b, 1684g
v. Second Judicial Dist. Ct., (Mont.) 27 L R. A. 392, 550
v. Security Bank, 2 S. Dak. 538, 709
v. Severance, 55 Mo. 378, 738, 741, 743b
v. Sewer Commissioners, 39 N. J. Law, 665, 1013
v. Shardlow, 43 Minn. 524, 682, 1102, 1103
v. Sharp, 106 Mo. 106, 734
v. Shelbyville, &c., Co., 41 Ind. 151, 18
v. Sherman, 22 Ohio St. 411, 67, 75, 531, 532, 956, 958
v. Shields, 89 Mo. 259, 732
v. Shortridge, 56 Mo. 126, 875
v. Simon, 20 Ore. 365, 680
v. Simpson, 2 Hawks (N. Car.), 460, 733
v. Sioux City, &c., R. Co., 46 Neb. 682, 1669, 1684b, 1685
v. Sioux City, &c., R. Co., 7 Neb. 357, 431, 458, 931a
v. Slevin, 16 Mo. App. 541, 1053
v. Smith, 49 N. H. 155, 713
v. Smith, 32 Ind. 213, 54
v. Smith, 15 Ore. 98, 157, 241
v. Smith, 48 Vt. 266, 87, 95, 174, 440
v. Smith, 7 Ia. 244, 751a
v. Smith, 58 Minn. 35, 1096ag
v. Soragan, 40 Vt. 450, 1698
v. Southern Kansas R. Co., 49 S. W. 252, 764
v. Southern Kansas R. Co., 99 S. W. 167, 662
v. Southern Min. R. Co., 18 Minn. 40, 662, 699, 1056c
v. Southern Pacific R. Co., 24 Tex. 80, 49, 55, 57
v. South Orange, 46 N. J. L. 317, 783
v. Spartanburg, &c., R. R. Co., 8 So. Car. 129, 486, 487
v. Spokane St. R. Co., 19 Wash. 518, 6, 1391
v. Standard Oil Co., 49 Ohio St. 137, 366
v. Steamship, &c., 42 Cal. 578, 763
v. Stephens, 146 Mo. 662, 755
v. Stewart, 59 Vt. 273, 1688
v. Stewart, 74 Wis. 620, 952, 973
v. Stilsing, 52 N. J. L. 517, 690
v. Stoll, 17 Wall. (U. S.) 425, 38, 845
v. Stomont, 24 Kan. 686, 62
v. Strong, 25 Me. 297, 947
v. Stubbenfield, 157 Mo. 360, 730
v. Sullivan, 120 Ind. 197, 569
v. Superior Court, 8 Wash. 210, 563, 574

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State v. Superior Court, &c., 89 Pac. 879, 1054
v. Superior Court, &c., 31 Wash. 445, 525, 601, 1025
v. Superior Court, 87 Pac. 40, 992, 993
v. Superior Court, 30 Wash. 282, 7
v. Superior Court, Wash. 88 Pac. 332, 107, 974, 1029
v. Supervisors, 25 Wis. 339, 845
v. Swett, 97 Me. 99, 1492
v. Tappan, 29 .Wis. 664, 874, 918
v. Taylor, 25 Ohio St. 279, 53
v. Texas, &c., R. Co., 52 La. Ann. 1850, 1468
v. Texas, &c., R. Co., 98 S. W. 834, 762, 766
v. The Judges, 21 Ohio St. 1, 774
v. Thompson, 20 N. H. 250, 1602, 1637
v. Thompson, 47 Ore. 492, 1599, 1668, 1668a
v. Thompson, 84 Pac. 476, 662
v. Thone, 112 Wis. 81, 736a
v. Tilly, 3 Ired. (N. C.) Law, 424, 218
v. Timken, 48 N. J. L. 87, 110
v. Toledo, &c., Term Co., 24 Ohio Cir. Ct. 321, 960
v. Tomohawk, 96 Wis. 73, 858
v. Trenton, 54 N. J. L. 82, 1080, 1096r
v. Trenton, 36 N. J. L. 79, 1077, 1096l
v. Trenton, 53 N. J. L. 132, 1082, 1096o, 1096ag
v. Trenton, 36 N. J. Law, 198, 954
v. Trenton, 36 N. J. Law, 499, 1019, 1020
v. Troth, 34 N. J. Law, 377, 924
v. Troy, &c., R. Co., 57 Vt. 144, 718
v. Tudor, 5 Day (Conn.), 329, 162
v. Tupper, Dudley (S. Car.), 135, 1090
v. Turk, Mart. & Yerg. (Tenn.) 287, 54
v. Union, 43 N. J. Law, 518, 918
v. Union Depot Co., 71 Ohio St. 379, 1678
v. Union R. Co., 70 Md. 69, 1153
v. Union Stock Yards State Bank, 103 Ia. 549, 184
v. Union Term. R. Co., 72 Ohio, 455, 919a
v. Union Township, 8 Ohio St. 394, 882
v. Union, &c., Bank, 152 U. S. 454, 652
v. United New Jersey, &c., R. Co., 43 N. J. Law, 110, 954
v. United Express Co., 81 Minn. 87, 685
v. Utter, 14 N. J. L. 84, 644
v. Vanderbilt, 37 Ohio St. 590, 323, 324, 326, 434, 447
v. Vanderveer, 48 N. J. Law, 80, 1029
v. VanDuyn, 24 Neb. 586, 643
v. VanGelson, 15 N. J. Law, 339, 1018
v. Vermont Cent. R. Co., 27 Vt. 103, 709, 718, 719, 1076, 1090
v. Vermont Central R. Co., 30 Vt. 108, 718
v. Wabash, &c., R. Co., 115 Ind. 466, 563, 581, 709, 718
State v. Wabash, &c., R. Co., 89 Mo. 562, 712
v. Wabash, &c., R. Co., 83 Mo. 144, 662, 671, 694, 720
v. Walsh, 43 Minn. 444, 733
v. Ware, 13 Ore. 380, 643
v. Watson, 141 Mo. 338, 732
v. Weatherby, 45 Mo. 17, 865
v. Weaver, 94 N. Car. 836, 734
v. Webb, 110 Ala. 214, 20, 34, 52
v. Weld, 39 Minn. 426, 643
v. Weldon, 47 N. J. Law, 59, 1053
v. Wells, 8 Nev. 105, 680
v. Wells, 55 S. E. 210, 986
v. Wentworth, 37 N. H. 196, 716, 730
v. West, &c., R. Co., 34 Wis. 197, 49
v. Western Md. R. Co., 63 Md. 433, 1303a
v. Western U. Tel. Co., 113 N. C. 213, 682, 685, 690, 1671
v. Western, &c., R. Co., 65 Atl. 435, 1314
v. Western, &c., R. Co., 56 Wis. 227, 1645
v. Western, &c., R. R. Co., 95 N. Car. 602, 608, 718
v. Western, &c., Society, 47 Ohio St. 167, 644
v. Western, &c., Co., 40 Kan. 96, 606
v. West Side R. Co., 146 Mo. 155, 1096k
v. Wetherill, 41 N. J. L. 147, 750
v. Wheadon, 39 Ind. 520, 1056
v. Whitesides, 30 S. Car. 579, 827, 843, 847, 890, 894, 918
v. Whitworth, 22 Fed. 75, 330
v. Whitworth, 22 Fed. 81, 330
v. Wiley, 109 Mo. 439, 666
v. Wilmington B. Co., 3 Harr. (Del.) 312, 638
v. Wilmington, &c., R. Co., 74 N. Car. 143, 1102
v. Wilmington, &c., R. Co., 122 N. Car. 877, 677
v. Wilson, 121 N. Car. 425, 681
v. Winona, &c., Co., 21 Minn. 315, 768
v. Wisconsin Cent. R. Co., 123 Wis. 551, 1145, 1147
v. Wisconsin, &c., R. Co., 107 N. W. 295, 711a
v. Withrow, 24 S. W. 638, 1048
v. Wood, 84 Mo. 378, 36, 48, 51
v. Wood, 110 Ind. 82, 675
v. Woodruff, 36 N. J. L. 94, 330, 750
v. Woodruff, &c., Co., 114 Ind. 155, 658, 763
v. Woram, 6 Hill (N. Y.), 33, 21
v. Wright, 41 N. J. L. 478, 746
v. Wright, 10 Nev. 167, 164
v. Wrightsville, &c., R. Co., 104 Ga. 437, 682
v. Yauger, 29 N. J. Law, 384, 1041
v. Yazoo, &c., R. Co., 40 So. 263, 694
v. Yellowstone County, 12 Mont. 503, 918
v. Young, 26 Iowa, 122, 821
State Bank v. Chetwood, 8 N. J. Law, 1, 232
v. Fox, 3 Blatchf. (U. S.) 431, 87, 95
v. Knoop, 16 How. U. S. 369, 742
v. Milwaukee, 18 Wis. 281, 76
v. People, 5 Ill. 303, 746

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

State Bank v. State, 1 Blatchf. (Ind.) 267, 52
v. State, 12 Am. Dec. 234, 611
State Board v. Citizens', &c., Co., 47 Ind. 407, 228, 369, 371, 372, 374, 481
v. Morris, &c., R. Co., 49 N. J. L. 193, 747
v. West Point, 50 Miss. 638, 918
State Board of Com'rs v. Holliday, 150 Ind. 216, 736
State Board of Equalization v. People, 191 Ill. 528, 743
State Board, &c., Co. v. Railroad Co., 48 N. J. L. 146, 741
State Fire Ins. Co., In re, 1 Hem. & M. 457, 186
State Freight Tax Case, 15 Wall. 232, 754, 756, 760, 764, 765, 1663
Staten Island, &c., R. Co., Re, 37 Hun (N. Y.), 422, 106, 110
Staten Island R. Co., In re, 41 Hun, 292, 1041, 1046
Staten Island R. T. Co., Matter of, 103 N. Y. 251, 973
State Railroad Tax Cases, 92 U. S. 576, 736, 751b, 752, 757, 772, 776
State Railroad Tax Cases, 115 U. S. 321, 771
State Reservation, Matter of, 192 N. Y. 734, 1053
State Sav. Assn. v. Kellogg, 63 Mo. 540, 189
v. Kellogg, 52 Mo. 583, 179, 188
State Tax on Foreign Held Bonds, 15 Wall. 300, 769
State Tax on Gross Receipts, 15 Wall. 284, 765
State Treasurer v. Auditor-General, 46 Mich. 224, 330, 741
v. Somerville, &c., R. Co., 28 N. J. Law, 21, 389
State Trust Co. v. Kansas City, &c., R. Co., 111 Fed. 769, 1314
v. Kansas City, &c., R. Co., 129 Fed. 455, 1075
State, &c., Bank v. Farmers, &c., Co., 118 Ia. 698, 576
State, &c., R. Co. v. Playford, 14 Atl. 355, 1003b
Staton v. Norfolk R. Co., 111 N. C. 278, 979, 1057
Stattuck v. Stoneham, &c., R. Co., 6 Allen, 115, 989
Staub v. Kendrick, 121 Ind. 226, 1647, 1649a, 1651
Stauffer v. Cincinnati, &c., R. Co., 33 Ind. App. 356, 968, 1004, 1008, 1045
Steacy v. Little Rock, &c., R. Co., 5 Dill. (U. S.) 348, 79
Steadman v. Merchants', &c., Bank, 69 Tex. 50, 62
Steamboat Co. v. Atkins, 22 Pa. St. 522, 1705
v. Chase, 16 Wall. 532, 1361, 1371
Steamboat Crystal Palace v. Vanderpool, 16 B. Mon. (Ky.) 302, 1654
Steamboat "Emily" v. Kearney, 5 Kan. 645, 1417
Steamboat Farmer v. McCraw, 26 Ala. 189, 1705
Steamboat New World v. King, 16 How. (U. S.) 469, 1389
Steamboat Virginia v. Kraft, 25 Mo. 76, 1570
Steamboat Wisconsin v. Young, 3 Greene (Ia.), 268, 1420
Steamer Kathleen Mary, The, 8 Benedict, 165, 1528
Steam Nav. Co. v. Weed, 17 Barb. 378, 378
Steamship Co. v. Mackey, 1 K. B. Div. 297, 1420
Stearns v. Atlantic, &c., R. Co., 46 Me. 95, 1222, 1237
v. Deerfield, 51 N. H. 372, 1041
v. Minnesota, 179 U. S. 223, 768, 770
v. Old Colony, &c., R. Co., 1 Allen (Mass.), 493. 670b
v. Pullman Car Co., 8 Ont. 171, 1622, 1623
v. Richmond, 88 Va. 992, 977
v. Sopris, 4 Colo. App. 191, 111a
v. Stearns, 16 Mass. 167, 553
Stebbins v. Central Vermont, &c., R. Co., 54 Vt. 464, 1238
v. Crooked Creek R. Co., 116 Ia. 513, 1344
v. Kay, 4 N. Y. Sup. 566, 783
v. Perry County, 167 Ill. 567, 89, 859a
v. Phœnix F. Ins. Co., 3 Paige (N. Y.), 350, 100
Steber v. Chicago, &c., R. Co., 115 Wis. 200, 1179
Stedman v. Vickery, 42 Me. 132, 626
Steeg v. St. Paul, &c., R. Co., 50 Minn. 149, 1096cy
Steel v. Fraternal Tribunas, &c., Co., 215 Ill. 190, 350, 353, 372
v. Holladay, 19 Ore. 517, 584
v. Kurtz, 28 Ohio St. 191, 1372
v. Southeastern R. Co., 16 C. B. 550, 1063
v. Southeastern R. Co., 32 Eng. L. & Eq. 366, 1063
Steele v. Aspy, 128 Ind. 367, 540
v. Empson 142 Ind. 397, 966
v. McTyer, 31 Ala. 667. 1457
v. Pacific, &c., R. Co., 74 Cal. 323, 1226, 1243
v. Sturges, 5 Abb. Pr. (N. Y.) 442, 563
v. Southern R. Co., 55 S. Car. 389, 1644
v. Tanana Mines R. Co., 2 Alaska, 451, 986
v. Townsend, 37 Ala. 247, 1417, 1457, 1493, 1501, 1502, 1516
Steenerson v. Great Northern R., 69 Minn. 353, 1684b, 1684d, 1684c
Steers v. Boston, &c., Steamship Co., 57 N. Y. 1, 1494
v. Liverpool, &c., Co., 57 N. Y. 1, 1501, 1593, 1649, 1661
Steever v. Illinois Cent. R. Co., 62 Iowa, 371, 303
Steffe v. Old Colony, &c., R. Co., 156 Mass. 262, 1356
Steffen v. Mississippi, &c., R. Co., 156 Mo. 322, 1729
Steffenson v. Chicago, &c., R. Co., 45 Minn. 355, 1351, 1355
Steger v. Arctic, &c., Co., 89 Tenn. 453, 1069
Stehr v. Mason City, &c., R. Co., 110 N. W. 702, 978
Steid. v. Minneapolis, &c., R. Co., 94 Minn. 233, 1423, 1536
Steiler v. Hart, 65 Mich. 644, 1283
Stein v. Bienville Water Co., 141 U. S. 67, 652, 1080
v. Howard, 65 Cal. 616, 89
v. Mobile, 24 Ala. 591, 821

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Steinbruner v. Pittsburgh, &c., Ry. Co., 146 Pa. St. 504, 1387, 1813
Steinbuchel v. Wright, 43 Kan. 307, 1828
Steiner's Appeal, 27 Pa. St. 313, 73
Steiner v. Philadelphia Trac. Co., 134 Pa. St. 199, 1264
v. Steiner, &c., Co., 120 Ala. 128, 191
Steines v. Franklin County, 48 Mo. 167, 843, 876
Steinhart v. Superior Court, 137 Cal. 575, 986
Steinhofel v. Chicago, &c., R. Co., 92 Wis. 123, 1166, 1689i
Steinkhauser v. Spraul, 127 Mo. 541, 1288a
Steinman v. Wilkins, 7 W. & S. (Pa.) 466, 1567
Steinmetz v. Versailles, &c., R. Co., 57 Ind. 457, 136
Steinway, Matter of, 159 N. Y. 250, 172
Steinweg v. Erie R. Co., 43 N. Y. 123, 1224, 1472, 1475, 1508, 1588
Steirle v. Union R. Co., 156 N. Y. 70, 1096ct
Stella, The, L. R. (1900) P. 161, 1608
Stembridge v. Southern R. Co., 65 S. Car. 440, 1634, 1773, 1774
Stendal v. Boyd, 73 Minn. 53, 1259
Stephani v. Southern, &c., R. Co., 19 Utah, 196, 1332
Stephen v. Smith, 29 Vt. 160, 199, 200, 1637
Stephens v. Benton, 1 Duv. (Ky.) 112, 485
v. Commissioners, 36 Kan. 664, 1023
v. Follett, 43 Fed. R. 842, 157
v. Fox, 83 N. Y. 313, 180
v. Hannibal, &c., R. Co., 63 Mo. 397, 1316
v. Hannibal, &c., R. Co., 86 Mo. 221, 1304, 1321
v. Huss, 54 Pa. St. 20, 409
v. New York, &c., R. Co., 175 N. Y. 72, 1088
v. Railroad Co., 36 Ia. 327, 467
v. Railway Co., 10 Lea, 448, 1376
v. St. Louis, &c., Co., 47 Fed. 530, 648
v. Southern Pac. R. Co., 109 Cal. 86, 1236
v. Sweeney, 7 Ill. 375, 1825
v. Texas, &c., R. Co., 97 S. W. 309, 751b
Stephenson v. Duncan, 73 Wis. 404, 1289, 1295, 1697, 1767
v. Grand Trunk, &c., R. Co., 34 Mich. 323, 1185
v. Hart, 4 Bing. 476, 1523, 1535
v. New York, &c., R. Co., 2 Duer (N. Y.), 341, 222
v. Southern Pac. R. Co., 102 Cal. 143, 1689c
v. Southern, &c., R. Co., 93 Cal. 585, 214, 1265
Sterling v. St. Louis, &c., R. Co., 86 S. W. 665, 1555, 1689i
v. Union Carbide Co., 142 Mich. 284, 1813
Stern v. Michigan Central R. Co., 76 Mich. 591, 1198, 1204, 1644, 1696
Sternenberg v. Mailhos, 99 Fed. 43, 1361a
Sternberger v. Cape Fear, &c., R. Co., 29 S. Car. 510, 689, 690, 1671
Sternfels v. Metropolitan St. R. Co., 77 N. Y. S. 309, 1378a
Sternfels v. Metropolitan St. R. Co., 174 N. Y. 512, 1378a
Sterrett v. Delmar Ave., &c., R. Co., 108 Mo. App. 650, 1033
Sterritt v. Young, 14 Wyo. 146, 1019
Stertz v. Stewart, 74 Wis. 160, 1239, 1243
Stetler v. Chicago, &c., R. Co., 49 Wis. 609, 477, 1518
v. Chicago, &c., R. Co., 46 Wis. 497, 1320
Stetson v. Chicago, &c., R. Co., 75 Ill. 74, 1096
v. City Bank, 2 Ohio St. 167, 612
v. City Bank, 12 Ohio St. 577, 609
Stevenot v. Eastern R. Co., 61 Minn. 104, 626, 1461, 1538
Stevens v. Anson, 73 Me. 489, 836
v. Armstrong, 6 N. Y. 435, 1267a
v. Atchison, &c., R. Co., 87 Mo. App. 26, 581
v. Board of Supervisors, 41 Iowa, 341, 1028
v. Boston, &c., R. Co., 8 Gray (Mass.), 262, 1451, 1570
v. Brown, 20 W. Va. 450, 624
v. Buffalo, &c., R. R. Co., 31 Barb. 590, 520
v. Buffalo, &c., R. Co., 54 N. Y. 314, 389
v. Carp River Iron Co., 57 Mich. 427, 292
v. Chamberlain, 100 Fed. 378, 1316
v. Danbury, 53 Conn. 9, 1031
v. Davidson, 18 Gratt. (Va.) 819, 196, 440, 539, 540, 547, 550
v. Duck River Nav. Co., 1 Sneed (Tenn.), 237, 1031
v. Eden, &c., 12 Vt. 688, 262
v. Erie R. Co., 21 N. J. Eq. 259, 41
v. Flanagan, 131 Ind. 122, 412
v. Hill, 29 Me. 133, 258
v. Lake George, &c., R. Co., 82 Mich. 426, 745
v. Mid-Hants, &c., R. R. Co., L. R. 8 Ch. 1064, 487
v. Midland, &c., R. Co., 10 Exch. 352, 1265
v. New York, &c., R. Co., 13 Blatchf. (U. S.) 412, 486, 487, 500, 527
v. New York Ele. R. Co., 29 N. Y. St. 361, 1056a
v. Nichols 130 U. S. 230, 649
v. Norfolk, 46 Conn. 227, 1025
v. Paterson, &c., R. Co., 34 N. J. Law, 532, 977
v. Phoenix Ins. Co., 41 N. Y. 149, 654
v. Proprietors of Middlesex Canal, 12 Mass. 466, 1004, 1048
v. Rutland, &c., R. Co., 29 Vt. 545, 45, 161, 165, 275, 328, 372, 374, 634
v. South Devon, &c., R. R. Co., 9 Hare, 313, 305, 317
v. Stevens, 11 Metc. (Mass.) 251, 949
v. Watson, 4 Abb. App. Dec. (N. Y.) 302, 497
v. Wheeler, 27 Barb. (N. Y.) 658, 1543
v. Wichita, &c., R. Co., 100 S. W. 807, 1598
Stevenson, The J. C., 17 Fed. R. 540, 1457
Stevenson v. Jewett, 16 Hun, 210, 1299
v. Loehr, 57 Ill. 509, 1001

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Stevenson v. Mayor, 20 Fed. 586, 1085
v. Missouri Pac. R. Co., 31 S. W. 793, 1076
v. Montreal, &c., R. Co., 16 U. C. Q. B. 530, 1576
v. Pullman, &c., Co., 26 S. W. 112, 1622, 1627
v. West Seattle, &c., Co., 22 Wash. 84, 1577
Stewart's Appeal, 56 Pa. St. 413, 1, 70, 430, 487, 488, 790, 1056
Stewart's Case, L. R. 1 Ch. App. 574, 132
Stewart v. Arkansas, &c., R. Co., 112 La. Ann. 764, 1817
v. Ashtebula, 98 Fed. 516, 1096bj
v. Baltimore, &c., R. Co. (D. C. App.) 23 Wash. L. Rep. 247, 1373
v. Baltimore, &c., R. Co., 168 U. S. 445, 1365, 1366, 1373
v. Bardin, 113 N. Car. 277, 514
v. Boston, &c., R. Co., 146 Mass. 605, 1584, 1630
v. Boulware, 133 U. S. 78, 584, 585
v. Brooklyn, &c., Co., 90 N. Y. 588, 213, 1096dc, 1265, 1589, 1638
v. Camden, &c., R. Co., 33 N. J. Law, 115, 1055
v. Chicago, &c., R. Co., 27 Iowa, 282, 1208
v. Chicago, &c., R. Co., 141 Ind. 55, 1698
v. Cincinnati, &c., R. Co., 89 Mich. 315, 1146, 1149, 1151, 1252
v. Cleveland, &c., R. Co., 21 Ind. App. 218, 1502, 1502a
v. Erie & W. Trans. Co., 17 Minn. 372, 33, 303, 340, 356, 366, 372, 1391
v. Firemen's Ins. Co., 53 Md. 564, 94, 308
v. Gracy, 93 Tenn. 314, 1404, 1462
v. Great Northern R. Co., 65 Minn. 515, 952
v. Hovey, 45 Kan. 708, 751
v. Hoyt, 111 U. S. 373, 618
v. International, &c., R. Co., 53 Tex. 289, 1628, 1641, 1759
v. Jones, 40 Mo. 140, 72, 488, 520
v. Lake Erie, &c., R. Co., 17 Minn. 372, 42
v. Lansing, 104 U. S. 505, 485, 486
v. Lay, 45 Iowa, 604, 183, 184
v. Lehigh Valley R. Co., 38 N. J. L. 505, 274, 388, 1467, 1565
v. Long Island R. Co., 102 N. Y. 601, 436
v. Merchants' D. Co., 47 Iowa, 229, 1401, 1424, 1440, 1490
v. Minnesota, &c., R. R. Co., 36 Minn. 355, 111
v. North Carolina R. Co., 136 N. C. 385, 1172, 1849
v. Ohio River, &c., R. Co., 38 W. Va. 438, 1087
v. Ohio River R. Co., 40 W. Va. 188, 1302, 1314
v. Pennsylvania Co., 130 Ind. 242, 1697
Stewart v. Pennsylvania R. Co. (Marion County, Ind., Super Ct.), 14 Am. & Eng. R. Cas. 679, 1154, 1252
v. Pennsylvania R. Co., 2 Ind. App. 142, 1194
v. Phenix Ins. Co., 9 Lea, 104, 303
v. Raleigh, &c., R. Co., 53 S. E. 877, 1795
v. Raymond, &c., Co., 7 S. & M. (Miss.) 568, 1025, 1048, 1049, 1050
v. St. Louis, Ft. S. & W. R. Co., 41 Fed. 736, 110, 272, 276
v. State, 105 N. Y. 254, 1007
v. Terre Haute, &c., R. Co., 3 Fed. R. 8, 1686
v. Terre Haute, &c., R. Co., 1 McCrary, 312, 1435
v. Terre Haute, &c., R. Co., 103 Ind. 44, 1359
v. Waterloo Turn Verein, 71 Iowa, 226, 709
v. White, 98 Mo. 226, 1001, 1025
Stewart, &c., Co.'s Appeal, 72 Pa. St. 291, 72, 73
Stewart, &c., Co. v. Missouri Pac. R. Co., 33 Neb. 29, 1068
v. Missouri Pac. R. Co., 28 Neb. 39, 590
Stickley v. Chesapeake, &c., R. Co., 93 Ky. 323, 459, 471, 476
Stickney v. Maidstone, 30 Vt. 738, 1173
Stiles v. Atlanta, &c., R. Co., 65 Ga. 370, 1628
v. Davis, 1 Black, 101, 1461, 1538
v. Howland, 32 N. Y. 309, 1539
Stillman v. Dougherty, 44 Md. 380, 569
Stillwater St. R. Co., In re, 171 N. Y. 589, 1096bt
Stillwater, &c., R. Co. v. Slade, 36 App. Div. (N. Y.) 587, 1029
Stillwater, &c., St. R. Co. v. Boston, &c., R. Co., 171 N. Y. 589, 1056b, 1096bu, 1135
Stillwell v. Williams, 6 Madd. 38, 537
Stimson v. Connecticut, &c., R. Co., 98 Mass. 83, 1435, 1649, 1655, 1658
v. Jackson, 58 N. H. 138, 1422, 1491, 1535
v. Milwaukee, &c., R. Co., 75 Wis. 381, 1644
Stinson v. Chicago, &c., R. Co., 27 Minn. 284, 994, 1036
v. Connecticut R. Co., 98 Mass. 83, 1657
v. Dunbarton, 46 N. H. 385, 1045
Stirk v. Central, &c., R. Co., 79 Ga. 495, 1271
Stix v. Keith, 90 Ala. 121, 653
Stoebler v. St. Louis Transit Co., 102 S. W. 651, 1820
Stobo v. Davis Provision Co., 54 Ill. App. 440, 262
Stock, Ex parte, 33 L. J. Ch. 731, 241
Stockdale v. Rio Grande Western R. Co., 28 Utah, 201, 950, 981, 1049, 1076
Stockett v. Howard, 34 Md. 121, 360
Stockholders of Shelby R. Co. v. Louisville, &c., R. Co., 12 Bush (Ky.), 62, 164
Stockmeyer v. Reed, 55 Fed. R. 259, 1318
Stocks v. St. Louis Transit Co., 106 Mo. App. 129, 1333c

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Stockton v. Baltimore, &c., Railroad Co., 32 Fed. 9, 25, 30, 965, 980, 1663, 1671
v. Central R. Co., 50 N. J. Eq. 489, 376
v. Central R. Co., 50 N. J. Eq. 52, 385, 444, 628, 631, 967
v. Frey, 4 Gil. (Md.) 406, 1587
v. Powell, 29 Fla. 1, 666
Stockton Combines Harvester Co. v. Houser, 109 Cal. 1, 262
Stockton, &c., R. Co. v. Galgiani, 49 Cal. 139, 1045, 1053
v. Stockton, 51 Cal. 328, 122, 814, 851a, 952, 954
Stockwell v. State, 101 Ind. 1, 512
Stock Yards Co. v. Louisville, &c., R. Co., 67 Fed. 35, 1465
Stoddard v. Shetucket, &c., Co., 34 Conn. 542, 110, 311
Stodder v. New York, &c., R. Co., 50 Hun, 221, 1586
Stodghill v. Chicago, &c., R. Co., 53 Iowa, 341, 1048, 1049b
v. Chicago, &c., R. Co., 43 Iowa, 26, 937, 960, 1004, 1005
Stoeckman v. Terre Haute, &c., R. Co., 15 Mo. App. 503, 1366
Stoher v. Iron Mountain R. Co., 91 Mo. 509, 1271
v. St. Louis &c., R. Co., 105 Mo. 192, 1297
v. St. Louis, &c., R. Co., 91 Minn. 509, 1378a
Stokes v. Knarr, 11 Wis. 389, 1049
v. Lebanon, &c., Turnp. Co., 6 Humph. (Tenn.) 241, 149, 150
v. Parker, 53 N. J. L. 183, 1001
v. Phelps Mission, 47 Hun, 570, 348
Saltonstall, 13 Pet. (U. S.) 181, 1583, 1585, 1644
v. Southern R. Co., 104 Va. 817, 1165
v. Suffolk, &c., R. Co., 107 N. Car. 178, 1590, 1641
Stollenwerck v. Thatcher, 115 Mass. 224, 1425, 1426, 1428
Stolze v. Milwaukee, &c., R. Co., 113 Wis. 44, 986, 1046a, 1048, 1051
Stone v. Boston, &c., R. Co., 171 Mass. 536, 1231, 1689f
v. Cheshire, &c., R. Co., 19 N. H. 427, 1063
v. Chicago, &c., R. Co., 63 Mich. 76, 1377
v. Chicago, &c., R. Co., 47 Iowa, 82, 1580, 1595, 1602, 1637
v. City, &c., Bank, L. R. 3 C. P. Div. 282, 181
v. Detroit, &c., R. Co., 3 Interst. Com. Com. 613, 1672, 1678, 1682
v. Dry Dock, &c., R. Co., 115 N. Y. 104, 1095, 1261
v. Elliott, 11 Ohio St. 252, 882
v. Fairbury, &c., R. Co., 68 Ill. 394, 978, 1057
v. Farmers' Loan & Trust Co., 116 U. S. 307, 44, 659, 674, 676, 686, 688, 691, 1593, 1662c, 1662d
v. Hayes, 3 Denio, 515, 288
v. Hills, 45 Conn. 44, 214
v. Illinois, &c., R. Co., 116 U. S. 347, 1593, 1662c
v. Kellogg, 62 Ill. App. 444, 282
v. Kellogg, 165 Ill. 192, 172
Stone v. Lewiston, &c., R. Co., 99 Me. 243, 1783
v. Mississippi, 101 U. S. 814, 750a, 768
v. Nathez, &c., R. Co., 62 Miss. 646, 674, 676, 691
v. New Orleans, &c., R. Co., 116 U. S. 352, 1593, 1662c
v. New York, 25 Wend. 157, 1054
v. Rice, 58 Ala. 95, 1527
v. South Carolina, 117 U. S. 430, 650a, 654
v. Southern, &c., Bridge Co., 27 Sup. Ct. 615, 1057c
v. Swift, 4 Pick. 389, 1428
v. Union Pac. R. Co., 89 Pac. 715, 1378c
v. United States, 64 Fed. 667, 811a
v. Wabash, &c., R. Co., 9 Brad. (Ill.) 48, 303, 1416, 1418, 1419, 1428
v. Wyatt, 31 Me. 409, 1531
v. Wisconsin, 94 U. S. 674, 62, 1662c
v. Yazoo, &c., R. Co., 62 Miss. 607, 676, 682, 689
Stoneback v. Thomas Iron Co. (Pa.) 4 Atl. 721, 33
Stoneham Branch R. Co. v. Gould, 68 Mass. 277, 111a, 152
Stoneman v. Atlantic, &c., Railroad Co., 58 Mo. 503, 1156, 1158, 1208, 1310
v. Erie R. Co., 52 N. Y. 429, 1421, 1649
Stoner v. Chicago, &c., R. Co., 109 Ia. 551, 303, 1423
Stonestreet v. Crandell, 10 Kan. App. 575, 1798
Stoney v. American Life Ins. Co., 11 Paige (N. Y.), 635, 484
Stoody v. Railway Co., 124 Mich. 420, 1585
Stopp v. Fitchburg Co., 80 Hun, 178, 1166, 1179b
Stoops v. Greensburg, &c., Co., 10 Ind. 47, 16
Storer v. Hobbs, 52 Me. 144, 1055
Storey v. Ashton, L. R. 4 Q. B. 476, 214, 1580
Stork v. Charles, &c., Cooperage Co., 106 N. W. 841, 1278a
Storm v. Butte, 89 Pac. 726, 1820
v. Ermantrout, 89 Ind. 214, 564
Storm Lake, Town of, v. Iowa Falls, &c., R. Co., 62 Iowa, 218, 1025
Storms v. Manhattan R. Co., 77 App. Div. (N. Y.) 94, 1049c, 1049h
v. Manhattan R. Co., 178 N. Y. 493, 1003, 1003b
Storr v. Crowley, McClell. & Y. 129, 1530
Storrie v. Grand Trunk, &c., Co., 134 Mich. 297, 1361a
Storrow v. Texas, &c., Assn., 87 Fed. 612, 83
Storrs v. City of Utica, 17 N. Y. 104, 1063
v. Los Angeles Trac. Co., 134 Cal. 91, 1809
v. Pensacola R. Co., 29 Fla. 617, 678
Story v. Chicago, &c., R. Co., 79 Iowa, 402, 1204, 1209
v. Concord, &c., R. Co., 70 N. H. 364, 1297

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Story v. New York El. R. Co., 90 N. Y. 122, 7, 630, 976. 978, 1085, 1096, 1096d
v. Norfolk, &c., R. Co., 133 N. Car. 59, 1574, 1577
Stotler v. Chicago, &c., R. Co., 98 S. W. 509, 1155, 1160
v. Chicago, &c., R. Co., 200 Mo. 107, 1800, 1812
Stotsenberg v. Pittsburgh, &c., R. Co., 165 Pa. St. 377, 1269
Stott v. Grand Trunk R. Co., 24 U. C. C. P. 347, 1264
v. New York, &c., R. Co., 50 N. Y. St. 500, 1783
Stoughton v. Paul, 173 Mass. 148, 954
Stourbridge Canal Co. v. Wheeley, 2 B. & Adol. 793, 41
Stout v. Lye, 103 U. S. 66, 511
v. Yager Mill Co., 13 Fed. 802, 604
v. Zulick, 46 N. J. L. 599, 190, 619
Stoutenburgh v. Hennick, 129 U. S. 141, 759, 1664, 1671
Stovall v. Banks, 10 Wall. (U. S.) 583, 518
Stover v. Bluehill, 51 Me. 439, 1804
v. Flack, 30 N. Y. 64, 183
Stow v. Wise, 7 Conn. 214, 164, 261, 262, 285, 297
Stowe v. Flagg, 72 Ill. 397, 102
v. La Conner Trading, &c., Co., 39 Wash. 28, 1773
v. New York, &c., R. Co., 113 Mass. 521, 1463, 1464, 1695, 1711
Stowell v. Erie R. Co., 98 Fed. 520, 1186, 1170, 1179b, 1179i
Stoy v. Louisville, &c., R. Co., 160 Ind. 144, 1166a
Stoyston, &c., Turnp. Co. v. Craver, 45 Pa. St. 386, 257, 260
Straiton v. New York, &c., Railroad, 2 E. D. Smith, 184, 1445
Stramboat v. King, 16 How. (U. S.) 474, 1096cr
Strand v. Chicago, &c., R. Co., 64 Mich. 216, 1628
Strang v. Beloit, &c., R. Co., 16 Wis. 635, 926, 1017, 1022, 1029, 1041
v. Cook, 47 Hun, 46, 893
Strange v. Houston, &c., R. Co., 53 Tex. 162, 93
v. Missouri Pac. R. Co., 61 Mo. App. 586, 1817
Stranton, &c., Co., In re, L. R. 16 Eq. 559, 174
Strasburg R. R. Co. v. Echternacht, 21 Pa. St. 220, 102
Strasser v. New York, &c., R. Co., 128 N. Y. 157, 1077
Stratton v. Allen, 16 N. J. Eq. 229, 276, 604
v. Central Park, &c., R. Co., 95 Ill. 25, 1096cc
v. European & N. A. R. Co., 76 Me. 269, 526
v. European, &c., R. Co., 74 Me. 422, 1247c
v. Lyons, 53 Vt. 130, 265
Stratton's &c., v. Midland Term. R. Co., 32 Colo. 493, 949
Strauder v. West Virginia, 100 U. S. 313, 645
Straugh v. Detroit, &c., R. Co., 65 Mich. 706, 1179b
Straughan v. Hallawood, 30 W. Va. 274, 555
Straughan v. Indianapolis, &c., R. R. Co., 38 Ind. 185, 103
Strauss v. Kansas City, &c., R. Co., 86 Mo. 421, 1628
Strawbridge v. Baltimore, &c., R. Co., 14 Md. 360, 233
v. Bradford, 128 Pa. St. 200, 1261
Strawn v. Missouri, &c., R. Co., 120 Mo. App. 135, 1689l
Street v. Laumier, 34 Mo. 469, 1218
v. Maryland Cent. Ry. Co., 59 Fed. 25, 528, 590
v. Maryland Cent. R. Co., 58 Fed. R. 47, 586
v. Morrison, 10 New Bruns. 296, 1406
v. Varney, &c., Co., 160 Ind. 338, 1336
Street R. Co. v. Bolton, 43 Ohio St. 224, 1305
v. Eadie, 43 Ohio St. 91, 1174, 1178
v. West Side St. R. Co., 48 Mich. 433, 1083, 1096ac
Street's Western, &c., Car Line v. Bonander, 196 Ill. 15, 1298a
Streeter v. Horlock, 1 Bing. 24, 1490
Strembel v. Brooklyn Heights R. Co., 110 App. Div. (N. Y.) 23, 1644
Streng v. Frank Ibert Brew. Co., 50 App. Div. (N. Y.) 542, 1799
Stretton v. Great Western, &c., R. Co., 40 N. J. Eq. 50, 1025, 1048
Strick v. Swansea, &c., Co., 16 C. B. N. S. 245, 1684
Stricker v. Leathers, 68 Miss. 803, 1742
v. Pennsylvania R. Co., 60 N. J. L. 230, 1594
Strickland v. Barrett, 20 Pick. 415, 1466
Strickler v. Midland, &c., R. Co., 125 Ind. 412, 1007, 1049, 1049b, 1051
Strieb v. Cox, 111 Ind. 299, 892
Striegel v. Moore, 55 Iowa, 88, 1239
Striker v. Kelly, 2 Denio, 323, 1015
Stringer's Case, L. R. 4 Ch. 475, 313, 317
v. Frost, 116 Ind. 477, 1096ch
v. Keokuk, &c., R. Co., 59 Iowa, 277, 944, 1188
v. Missouri Pacific R. Co., 96 Mo. 299, 1632
Stringham v. Oshkosh, &c., Co., 33 Wis. 471, 263, 973
Strobe v. Downer, 80 Am. Dec. 709, 511, 512
Stroble v. Chicago, &c., R. Co., 70 Iowa, 555, 1302, 1344, 1355
Strodder v. Southern, &c., Co., 94 Ga. 636, 1377
Strode v. St. Louis Transit Co., 87 S. W. 976, 1096bo, 1376, 1806
v. St. Louis Transit Co., 197 Mo. 616, 1369, 1375, 1376, 1806
Stroh v. Detroit, 131 Mich. 109, 741a
Strohecker v. Alabama, &c., R. Co., 42 Ga. 509, 41, 415, 960
Strohm v. New York, &c., R. Co., 96 N. Y. 305, 1799
Strohn v. Detroit, &c., R. Co., 21 Wis. 554, 1502
v. Detroit, &c., R. Co., 23 Wis. 126, 1455

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Strohn v. Detroit, &c., R. Co., 21 Wis. 554, 1502
Strong v. Brooklyn, &c., R. R. Co., 93 N. Y. 426, 87, 816, 320
v. Georgia, &c., R. Co., 118 Ga. 515, 1190
v. Grand Trunk R. Co., 15 Mich. 206, 1420, 1558
v. Iowa, &c., R. Co., 94 Ia. 380, 1282, 1296, 1304, 1795
v. McCagg, 55 Wis. 624, 550, 609
v. Natally, 4 B. & P. (1 New R.) 16, 1531
v. Smith, 15 Hun, 222, 157
v. Wheaton, 38 Barb. (N. Y.) 616, 180
Stroub v. Manhattan R. Co., 15 N. Y. Supp. 135, 630
Stroud v. Philadelphia, 61 Pa. St. 255, 782
Strough v. Railroad Co., 92 App. Div. (N. Y.) 584, 1454
Strouss v. Wabash, &c., R. Co., 17 Fed. 209, 1455, 1584, 1649, 1651
Struthers v. Dunkirk, &c., Railway Co., 87 Pa. St. 282, 418, 718, 920, 1057, 1087
Strutzel v. St. Paul, &c., R. Co., 47 Minn. 543, 1094, 1096ce, 1096cl, 1096cl
Struve v. Republic Valley R. Co., 2 Neb. (unoff.) 585, 972a
Stryker v. Cassidy, 76 N. Y. 50, 1073
Stuart v. London, &c., R. Co., 16 Jur. 209, 227
v. New Albany, &c., Co., 15 Ind. App. 184, 1304
v. Palmer, 74 N. Y. 183, 771, 1019, 1039
v. Valley R. Co., 32 Gratt. (Va.) 146, 103, 176
v. West End Co., 163 Mass. 391, 1283,
Stubbings v. Evanston, 136 Ill. 37, 1046
Stubbs v. Lister, 1 Younge & C. Ch. Cas. 81, 154
Stuber v. McEntree, 142 N. Y. 200, 1376
Stubley v. London, &c., R. Co., L. R. 1 Ex. 13, 1157
Stucke v. Milwaukee, &c., Co., 9 Wis. 202, 1180, 1209
v. Orleans R. Co., 50 La. Ann. 172, 1304
Studer v. Southern Pac. R. Co., 121 Cal. 400, 1169, 1172, 1261
Studgeon v. Sand Beach, 107 Mich. 496, 1804
Studley v. St. Paul, &c., R. Co., 48 Minn. 249, 1168, 1171
Stuebling v. Marshall, 10 Daly (N. Y. C P.), 406, 1376
Stuettgen v. Wisconsin, &c., R. Co., 80 Wis. 498, 1190
Stumpe v. Missouri, &c., R. Co., 1 Mo. App. 633, 1137
Sturdivant v. Ft. Worth, &c., R. Co., 27 S. W. 170, 1633
Sturge v. Eastern, &c., R. Co., 7 DeG., M. & G. 158, 82
Sturgeon v. St. Louis, &c., R. Co., 65 Mo. 569, 1548, 1555, 1730
Sturges v. Crowninshield, 4 Wheat. 122, 1671
v. Knapp, 31 Vt. 1, 501, 514
v. Society, 130 Mass. 414, 1064
v. Stetson, 1 Biss. (U. S.) 246, 88, 89, 152
Sturges v. Vanderbilt, 73 N. Y. 384, 47, 58, 62
Sturgis v. Bissell, 46 N. Y. 462, 1738
v. Detroit, &c., R. Co., 72 Mich. 619, 1628, 1641
Sturr v. Buck, 133 U. S. 541, 1003c
Sturtevant v. Milwaukee, &c., R. Co., 11 Wis. 63, 1048, 1049
Stutsky v. Brooklyn Heights R. Co., 88 N. Y. S. 358, 1591
Stutsman County v. Wallace, 142 U. S. 293, 768
Stuyvesant v. Mayor of New York, 11 Paige (N. Y.), 414, 941
v. New York, 7 Cowen (N. Y.), 588, 193
v. Woodruff, 21 N. J. L. 133, 938
Stutz v. Armour, 84 Wis. 623, 1318
v. Chicago, &c., R. Co., 73 Wis. 147, 1817
v. Handley, 41 Fed. 531, 24, 90, 103, 164, 182
v. Handley, 7 Ry. & Corp. L. J. 407, 24, 182
Styles v. Decatur, 131 Mich. 443, 1820
Styria, The, 95 Fed. 698, 1736
Suburban Elec. Co. v. Nugent, 58 N. J. L. 658, 1096cm
Suburban Hotel Co., In re, L. R. 2 Ch. 737, 608
Suburban R. T. Co., Matter of, 38 Hun (N. Y.), 553, 1027
Suburban R. Co. v. Metropolitan, &c., El. Co., 193 Ill. 217, 1027
Suburban, &c., R. Co. v. Inhabitants, &c., (N. J.) 41 Atl. 865, 58
v. New York, 128 N. Y. 510, 964
Suburban, &c., Co. v. Board, 153 Mass. 200, 1077, 1096l
Success, The, 7 Blatch. (U. S. C. C.) 551, 1558
Sue, The, 222 Fed. 843, 1665
Suffern v. Indiana, &c., R., 7 I. C. C. 255, 1684l
Suffield, Town of, v. New Haven, &c., Co., 53 Conn. 367, 1109
Suffolk, &c., R. Co. v. West, &c., Imp. Co., 137 N. Car. 330, 996d, 1036b
Sufford v. Boston, &c., R. Co., 103 Mass. 583, 1223
Surgarman v. Manhattan, &c., R. Co., 16 N. Y. Supp. 533, 1238
Sugden v. Aisbury, 63 L. T. R. 576, 307
Suit v. Woodhall, 113 Mass. 391, 1414
Sukeforth v. Lord, 87 Cal. 399, 1689c
Sullens v. Chicago, &c., R. Co., 74 Ia. 659, 1057f
Sullivan v. Cline, 33 Ore. 270, 1019
v. Commonwealth, 93 Pa. St. 284, 1700
v. Fitchburg, &c., R. Co., 161 Mass. 125, 1290, 1296, 1345
v. Hannibal, &c., R. Co., 107 Mo. 66, 1316, 1329
v. India, &c., R. Co., 113 Mass. 396, 1277, 1302
v. Jefferson Ave. R. Co., 133 Mo. 1, 1096cx, 1402, 1696
v. Lafayette Co., 61 Miss. 271, 1044
v. Metropolitan St. R. Co., 65 N. Y. S. 842, 1096bw
v. Mississippi, &c., R. Co., 11 Iowa, 421, 1315
v. Missouri, &c., R. Co., 117 Mo. 214, 1171

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Sullivan v. Missouri, &c., R. Co., 29 Tex. Civ. App. 429, 994, 1027, 1036
v. New York, &c., R. Co., 62 Conn. 209, 1779
v. New York, &c., R. Co. (Pa. St.) 34 Atl. 798, 1701
v. New York, &c., R. Co., 62 Conn. 209, 1317, 1329
v. New York, &c., R. Co., 154 Mass. 524, 1167, 1173
v. North Hudson Co., R. Co., 51 N. J. L. 518, 988
v. Old Colony R. Co., 148 Mass. 119, 1265, 1637
v. Oregon R., &c., Co., 12 Ore. 392, 1802
v. Oregon, &c., Co., 24 Ore. 408, 1182
v. Pennsylvania Co. (Pa. St.) 7 Atl. 177, 1162
v. Philadelphia, &c., R. Co., 30 Pa. St. 234, 1191, 1457, 1573, 1589, 1644
v. Portland, &c., R. Co., 4 Cliff. 212, 529
v. Portland, &c., R. Co., 94 U. S. 806, 526, 529
v. President, &c., 122 N. Y. 389, 1060
v. Southern R. Co., 74 S. Car. 377, 1658
v. Tioga, &c. R. Co., 112 N. Y. 643, 1248, 1320
v. Toledo, &c., R. Co., 58 Ind. 26, 1168
v. Union Pac. R. Co., 3 Dill (U. S.), 334, 1359
v. Vicksburg, &c., R. Co., 39 La. Ann. 800, 1252, 1256
v. Village of Sing Sing, 122 N. Y. 389, 1060
v. Walton, 20 Fla. 552, 906
v. Waters, 14 Ir. C. L. R. 460, 1250, 1251, 1303
Summerhays v. Kansas City, &c., R. Co., 2 Colo. 484, 1286
Sulphur Springs, &c., R. Co. v. St. Louis, &c., R. Co., 2 Tex. Civ. App. 650, 47, 927
Summers v. Chicago, &c., R. Co., 49 Fed. R. 714, 1059
v. Crescent, &c., R. Co., 34 La. Ann. 139, 1096bt, 1633
v. Dickinson, 9 Cal. 554, 796
v. Louisville, &c., R. Co. (Tenn.) 35 S. W. 210, 1702
v. State, 90 S. W. 310, 732
Summit v. State, 8 Lea (Tenn.), 413, 200
Sumner v. Charlotte, &c., R. Co., 78 N. C. 289, 303
v. Darnell, 128 Ind. 38, 943
v. Marcy, 3 Woodb. & M. 105, 251
v. Southern R. Assn., 7 Baxt. (Tenn.) 345, 1451
v. Walker, 30 Fed. 261, 1433, 1445
Sunbury, &c., R. Co. v. Hummell, 27 Pa. St. 99, 1057
Sunderland v. Martin, 113 Ind. 411, 630
Sunderland Bridge Case, 122 Mass. 459, 967
Sundy v. Savannah St. R. Co., 96 Ga. 819, 1315h
Sunnyside, &c., Co. v. Reitz, 14 Ind. App. 478, 1702
Sun Printing Co. v. Mayor, 152 N. Y. 257, 817, 1096e
Supervisors v. Cook, 38 Ill. 44, 903
v. Galbraith, 99 U. S. 214, 819, 828, 836, 842, 898
v. Paxton, 57 Miss. 701, 903
v. Randolph, 89 Va. 614, 843
v. Rogers, 7 Wall. 175, 918
v. Schenck, 5 Wall. 772, 843, 850, 898, 903,
v. United States, 18 Wall. (U. S.) 71, 874, 892, 918
Supply Ditch Co. v. Elliott, 10 Colo. 327, 80, 98
Supreme Lodge v. Knight, 117 Ind. 489, 193
v. Wilson, 66 Fed. 785, 653
Supreme Lodge, &c., v. England, 94 Fed. 369, 25
Supreme Sitting, &c., v. Baker, 134 Ind. 293, 543
v. Baker (Ind.), 20 L. R. A. 210, 550
Suse v. Metropolitan St. R. Co., 80 App. Div. (N. Y.) 24, 1847
Susquehanna, &c., Co. v. Bonham, 9 W. & S. (Pa.) 27, 488
v. Gen. Ins. Co., 3 Md. 305, 411
Susquehanna Ins. Co. v. Perrine, 7 Watts & S. (Pa.) 348, 192
Susquehanna, &c., Turnpike Co. v. People, 15 Wend. (N. Y.) 267, 718
Sussex, &c., R. Co. v. Morris, &c., R. Co., 19 N. J. Eq. 13, 42, 354, 356, 366, 367
Sutherland v. Cleveland, &c., R. Co., 148 Ind. 308, 1173
v. Olcott, 95 N. Y. 93, 87
v. Peoria Second Nat. Bank, 78 Ky. 250, 1538
v. Second Nat. Bank, 78 Ky. 250, 1431
v. Troy, &c., R. Co., 125 N. Y. 737, 1297, 1314
Sutliff v. Board, 147 U. S. 230, 898
v. Cleveland, &c., R. Co., 24 Ohio St. 147, 483
v. Lake County Commissioners, 147 U. S. 230, 891
Sutro v. Pettit, 74 Cal. 332, 845
Sutro v. Rhodes, 92 Cal. 117, 898
Sutter St. R. Co. v. Baum, 66 Cal. 44, 276
Sutton's Case, 3 DeG. & Sm. 262, 183
Sutton v. Chicago, &c., R. Co., 98 Wis. 157, 1160, 1704
v. Jones, 15 Ves. 584, 561
v. Kettle, 1 Spr. 309, 1709
v. Louisville, 5 Dana (Ky.), 28, 988
v. New York, &c., R. Co., 50 N. Y. S. 514, 1322
v. New York, &c., R. Co., 66 N. Y. 243, 1150, 1154, 1250
v. Southeastern, &c., R. Co., 11 Jur. N. S. 935, 1564
v. Todd, 24 Ind. App. 519, 1689a
v. Wauwatosa, 29 Wis. 21, 1310
Sutton's Hospital, Case of, 10 Coke, 1, 341
Sutton Mfg. Co. v. Hutchinson, 63 Fed. 496, 600, 604
Sutzin v. Chicago, &c., R. Co. (Iowa) 63 N. W. 709, 1257
Suver v. Chicago, &c., Railroad Co., 123 Ill. 293, 954, 1029, 1041
Suydam v. Grand St., &c., R. Co., 41 Barb. (N. Y.) 375, 1096cp
v. Marine, &c., Co., 2 Johns. 138, 1483
v. Moore, 8 Barb. (N. Y.) 358, 61, 670b

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Suydam v. Williamson, 24 How. 427, 768, 1702
Swadley v. Missouri Pac. R. Co., 118 Mo. 268, 1311, 1788
Swain v. Boston Ele. R. Co., 188 Mass. 405, 991
v. Fourteenth St. R. Co., 93 Cal. 179, 1096cb, 1096cd, 1096ce, 1689h
v. Shepherd, 1 Moody & R. 223, 1692
Swainson v. Northeastern R. Co., 3 Exch. Div. 341, 1320
Swan v. Burlington, &c., Ry. Co., 72 Iowa, 650, 949, 1147, 1149
v. Louisville, &c., R. Co., 106 Tenn. 229, 1567
v. Manchester, &c., R. Co., 132 Mass. 116, 1628a
v. Middlesex, 101 Mass. 173, 995, 1036, 1037, 1038
v. Williams, 2 Mich. 427, 950
Swan Land Co. v. Frank, 148 U. S. 603, 179, 188
Swan Land, &c., Co. v. Frank, 39 Fed. R. 456, 606
Swann v. Clark, 110 U. S. 602, 590, 592, 596
v. Jenkins, 82 Ala. 478, 794
v. Miller, 82 Ala. 530, 801
v. Wright, 110 U. S. 590, 526
Swansea Dock Co. v. Levien, 20 L. J. (Ex.) 447, 136
Swanson v. Central R. Co., 63 N. J. L. 605, 1171
v. Lafayette, 134 Ind. 625, 1288, 1338
v. Osgood, &c., Co., 91 Minn. 509, 1315
v. Ottumwa, 118 Ia. 161, 892
v. Ottumwa, 106 N. W. 9, 831a, 894a
Swarthout v. Chicago, &c., R. Co., 49 Wis. 625, 1233
Swartout v. New York, &c., R. Co., 7 Hun (N. Y.), 571, 1198
Swartwout v. Michigan Air Line R. Co., 24 Mich. 389, 20, 111, 121, 323, 327, 387, 408, 619
Swartz v. Duncan, 38 Neb. 782, 229
v. Great Northern R. Co., 93 Minn. 339, 1298a, 1332
Swatara R. Co. v. Brune, 6 Gill (Md.), 41, 127
Swayze v. New Jersey Midland R. Co., 36 N. J. L. 295, 987, 988, 1041, 1046
Sweaney v. Kansas City, &c., Co., 54 Mo. App. 265, 789, 790
Swearingen v. Missouri, &c., R. Co., 64 Mo. 73, 1194
Sweat v. Boston, &c., R. Co., 156 Mass. 284, 1272
Sweatt v. Boston, &c., R. R. Co., 3 Cliff. (U. S.) 339, 2, 763
v. Boston, &c., Co., 5 Nat. Bank Reg. 234, 72
Swedish Am. National Bank v. Railway Co., 96 Minn. 436, 1419
Sweeney v. Berlin, &c., Envelope Co., 101 N. Y. 520, 1277, 1295, 1302, 1304
v. Boston, &c., R. Co., 128 Mass. 5, 1063
v. Central Pac. R. Co., 20 Barb. 449, 1270
Sweeney v. Central Pacific R. Co., 57 Cal. 15, 1192, 1297
v. Chicago, &c., R. Co., 60 Wis. 60, 966
v. Grape Sugar Co., 30 W. Va. 443, 604
v. Grand Island, &c., R. Co., 61 Fed. R. 3, 650
v. Gulf, &c., R. Co., 84 Tex. 438, 1319, 1329
v. Kansas City Cable R. Co., 150 Mo. 385, 1096cm, 1689g, 1832, 1842, 1847
v. Minneapolis, &c., R. Co., 33 Minn. 153, 1297
v. Montana Central R. Co., 25 Mont. 543, 986
v. U. S., 109 U. S. 618, 1058, 1059
Sweeny v. Old Colony, &c., R. Co., 10 Allen, 368, 1154, 1157, 1171, 1249, 1250, 1263, 1641
v. Union Trac. R. Co., 199 Pa. St. 293, 1096cy
Sweet v. Barney, 23 N. Y. 335, 1426, 1519, 1531
v. Barney, 28 Barb. (N. Y.) 403, 1401
v. Birmingham R. &c., Co., 39 So. 767, 1833, 1841
v. Boston, 186 Mass. 79, 1007
v. Buffalo, &c., R. Co., 13 Hun, 643, 1087
v. Buffalo, &c., R. Co., 79 N. Y. 293, 972
v. Clutts, 50 N. H. 439, 977
v. Conley, 20 R. I. 381, 1057f
v. Louisville, &c., R. Co., 113 Ky. 15, 1096cy
v. Michigan, &c., R. Co., 87 Mich. 559, 1269
v. Morrison, 116 N. Y. 19, 1059
v. Ohio, &c., R. Co., 78 Wis. 127, 1302
v. Pym, 1 East 4, 1539
Sweetland v. Chicago, &c., R. Co., 117 Mich. 329, 1378a
v. Lynn, &c., R. Co., 177 Mass. 574, 202a
Sweny v. Smith, L. R. 7 Eq. 324, 154
Swepson v. Exchange, &c., Bank, 9 Lea (Tenn.), 713, 604
Swetland v. Boston, &c., R. Co., 102 Mass. 276, 1450, 1486
Swett v. Stark, 31 Fed. 858, 513
Swice v. Maysville, &c., R. Co., 116 Ky. 253, 472
Swift's Appeal, 11 Pa. St. 516, 924, 969
Swift v. Delaware, &c., R. Co., 66 N. J. Eq. 34, 1096h
v. Pacific Mail, &c., Co., 106 N. Y. 206, 366, 1423, 1434, 1444, 1445, 1447, 1502, 1692
v. Philadelphia, &c., R. Co., 64 Fed. 59, 1663
v. Philadelphia, &c., R. Co., 58 Fed. 858, 658, 1564
v. St. Louis, 180 Mo. 80, 1096t
v. Smith, 65 Md. 428, 161, 168, 170, 606
v. Staten Island, &c., R. Co., 123 N. Y. 645, 1150, 1151a, 1154, 1252
v. Tyson, 16 Pet. 1, 1663
v. United States, 190 U. S. 375, 1674

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Swift & Co. v. Crawford, 34 Neb. 450, 616
v. Johnson, 138 Fed. 867, 1367, 1378, 1822
v. Putowski, 182 Ill. 18, 1689d
Swift River Co. v. Fitchburg R. Co., 169 Mass. 326, 1730
Swift's &c., Works v. Johnsen, 26 Fed. 828, 563
Swift, &c., Co. v. Madden, 165 Ill. 41, 1295
Swigelsky v. Interurban St. R. Co., 91 N. Y. 350, 1096cw
Swigert, In re, 119 Ill. 83, 750
Swigert v. Hannibal, &c., R. Co., 75 Mo. 475, 1628
Swindler v. Hilliard, 2 Rich. L. (S. Car.) 286, 1459
Swinney v. Chicago, &c., R. Co., 123 Ia. 219, 1142
v. Ft. Wayne, &c., R. Co., 59 Ind. 205, 418, 718, 973, 996, 1022, 1023, 1027, 1047
Swisshelm v. Swissvale, &c., Co., 95 Pa. St. 367, 412
Swoboda v. Ward, 40 Mich. 420, 1302
Swope v. Leffingwell, 105 U. S. 3, 397
v. Villard, 61 Fed. 417, 573
Sword v. Young, 3 Lewis' Am. R. & Corp. R. 451, 1523, 1526
v. Young, 89 Tenn. 126, 1526, 1535
Syke's Case, L. R. 13 Eq. Cas. 255, 133
Sykes v. Columbus, 55 Miss. 115, 824, 843, 894, 1358d
v. St. Louis, &c., R. Co., 88 Mo. App. 193, 1807
Sykora v. Case, &c., Co., 59 Minn. 130, 1376, 1377
Syme v. Richmond, &c., R. Co., 113 N. Car. 558, 1170, 1257
Symmes v. Union Trust Co., 60 Fed. R. 830, 529, 533, 534, 535
Symns v. Schotten, 35 Kan. 310, 1543
Symonds v. Cincinnati, &c., R. Co., 14 Ohio, 147, 987, 988
Syracuse First Nat. Bank v. New York, &c., R. Co., 85 Hun (N. Y.), 160, 1532
Syracuse Water Co. v. Syracuse, 5 L. R. A. 546, 32
Syracuse, &c., R. R. In re, 91 N. Y. 1, 89, 167
Syracuse, &c., R. Co., In re, 4 Hun, 311, 1033
Syracuse, &c., R. Co., Matter of, 68 N. Y. 881, 1096a
Syracuse, &c., R. Co. Matter of, 33 Misc. N. Y. 510, 1096bl
Syracuse, &c., R. Co. v. Gere, 4 Hun (N. Y.), 392, 106, 110, 127, 128
Syracuse, &c., Co. v. Rome, &c., R. Co., 43 App. Div. (N. Y.) 203, 995
Szymasski v. Blumenthal, 3 Penn. Del. 558, 1366a

T

Taber v. Cincinnati, &c., R. Co., 15 Ind. 459, 390, 488, 490
Tabor, &c., R. Co. v. McCormick (Iowa), 57 N. W. 949, 117, 119, 125
Tabler v. Hannibal, &c., R. Co., 93 Mo. 79, 1323
Tacoma, &c., R. Co. v. Hays, 110 Fed. 496, 1096ce, 1096cj
Taffe v. Oregon, &c., Co., 41 Ore. 64, 1432, 1435, 1474
Taff Vale R. Co. v. Giles, 23 L. J. Q. B. 43, 1553
Tafft v. Presidio & F. R. Co., 84 Cal. 131, 92, 98
Taft v. Hartford, &c., R. Co., 8 R. I. 310, 83, 86 310
Taggart v. Northern Central R. Co., 29 Md. 557, 337
Tagg v. McGeorge, 155 Pa. St. 368, 1283
Taggard v. Buckmore, 42 Me. 77, 1066
Taggart v. Newport St. Ry. Co., 16 R. I. 668, 8, 1080, 1096c, 1096r
v. Western Md. R. Co., 24 Md. 563, 20, 45, 106, 111, 113, 163, 175, 386
Taillon v. Mears, 29 Mont. 161, 1638, 1778
Talbot v. Dent, 9 B. Mon. (Ky.) 526, 873
v. Hudson, 16 Gray (Mass.), 417, 952
Talbott v. Merchants', &c., Co., 41 Iowa, 247, 1494, 1670
v. West Virginia, &c., R. Co., 26 S. E. 311, 1798
Talcott v. Township of Pine Grove, 1 Flip. 120, 458, 638
v. Wabash R. Co., 66 Hun, 456, 1658, 1660
v. Wabash, &c., R. Co., 89 Hun, 492, 1655
v. Wabash R. Co., 159 N. Y. 461, 1596, 1649, 1658, 1660
Taliaferro v. Stevenson (N. J.), 33 Atl. 383, 1075
Talkington v. Parrish, 89 Ind. 202, 1702
Tall v. Baltimore, &c., R. Co., 90 Md. 248, 1639
Talladega, &c., Co. v. Jenifer, &c., Co., 102 Ala. 259, 563
v. Landers, 43 Ala. 115, 16
v. Peacock, 67 Ala. 253, 220
Talahassee, &c., Co. v. Western R. Co., 128 Ala. 167, 1520, 1528
Talley v. Great Western R. Co., L. R. 6 C. P. 44, 1624, 1654
Tallman v. Kimball, 74 Hun, 279, 229
v. Metropolitan, &c., R. Co., 121 N. Y. 119, 994
Talmage v. Pell, 7 N. Y. 328, 353, 369, 537
Tama Water Power Co. v. Hopkins, 79 Iowa, 653, 179
Tanas v. Municipal, &c., Co., 84 N. Y. S. 1053, 1366a
Tanco v. Booth, 89 N. Y. St. R. 82, 1662
Tanfield v. Irvine, 2 Russ. 149, 558
Tangier, The, 32 Fed. 230, 1558
Tanner v. Lindell, R. Co., 180 Mo. 1, 1096bl
v. Louisville, &c., R. Co., 60 Ala. 621, 1096cp, 1257
v. Oil Creek R. Co., 53 Pa. St. 411, 212, 1527
v. Scovell, 14 M. & W. 28, 1543
Tarbell v. Northern Cent. R. Co., 24 Hun (N. Y.), 51, 1595
v. Royal Exchange, &c., R. Co., 110 N. Y. 170, 1500, 1527
v. Rutland Rd., 73 Vt. 347, 1378c
Tarbox v. East S. B. Co., 50 Me. 339, 1420

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Tarbox v. Gorman, 31 Minn. 62, 171
Tariffs, &c., In re 3 Interst. Com. Com. 19, 1682
Tariffs, &c., In re, 2 Interst. Com. Com. R. 324, 1684
Tariffs, In re Passenger, 2 Interst. Com. Com. R. 649, 1686
Tariffs of Transcontinental Lines, In re, 2 Interst. Com. R. 203, 1683
Tarpey v. Deseret, &c., Co., 5 Utah, 494, 398
v. Madison, 178 U. S. 215, 809
Tarrant v. Webb, 18 C. B. 797, 1284, 1292
Tar River, &c., Co. v. Neal, 3 Hawks. (N. C.) 520, 150
Tarry v. Ashton, L. R. 1 Q. B. Div. 314, 1064, 1096ar
Tarwater v. Hannibal, &c., R. Co., 42 Mo. 193, 1209
Tate v. Hyslop, L. R. 15 Q. B. Div. 368, 1509
v. Meek, 8 Taunt, 280, 1572
v. Missouri, &c., R. Co., 64 Mo. 149, 1037, 1085
v. Yazoo, &c., R. Co., 78 Miss. 842, 1404
Tattan v. Great Western R. Co., 2 Ell. & Ell. 844, 1693
Tattersall v. National, &c., Co., L. R. 12 Q. B. Div. 297, 1548
Taubman v. Pacific, &c., Co., 26 L. T. N. S. 704, 1627
Taussig v. St. Louis Transfer Co., 133 Fed. 220, 960
Taunton, In re, 185 Mass. 199, 1100
Tax Cases, The, 12 Gill & J. 117, 737
Tax of Delaware Road, 18 Wall. 206, 755
Tax-payers, &c. v. Tennessee, &c., R. Co., 11 Lea, 329, 820, 839, 875
Tay v. Willmar, &c., R. Co., 110 N. W. 433, 1333a, 1344
Taylor v. Agricultural, &c., Co., 68 Ala. 229, 251, 491
v. Albemarle, &c., Co., 105 N. C. 484, 289, 352
v. Alliance Trust Co., 71 Miss. 694 506
v. Atlantic, &c., R. 55 How. Pr. (N. Y.) 275, 533
v. Atlantic, &c., R. Co., 57 How. Pr. N. Y. 26, 322
v. Baldwin, 14 Abb. Pr. (N. Y.) 166, 572
v. Baltimore, &c., R. Co., 33 W. Va. 39, 1057d
v. Bank of Ky., 2 J. J. Marsh. (Ky.) 564, 232
v. Bay City St. R. Co., 80 Mich. 77, 1096
v. Bay City St. R. Co., 101 Mich. 140, 1089
v. Board of Supervisors, 86 Va. 506, 854, 871, 887
v. Burlington, &c., R. Co., 5 Iowa, 114, 624
v. Burlington, &c., Co., 4 Dill. (U. S. C. C.) 570, 1072
v. Carew Manf. Co., 143 Mass. 470, 1315, 1689g
v. Carryl, 24 Pa. St. 259, 626
v. Cedar Rapids, &c., R. Co., 25 Iowa, 371, 387, 939, 941, 942, 945
v. Chicago, &c., R. Co., 63 Wis. 327, 949, 1049
v. Chichester, &c., R. Co., L. R. 2 Exch. 356, 341, 353
Taylor v. Columbian Ins. Co., 14 Allen (Mass.), 353, 555
v. Commonwealth, 3 J. J. Marsh. 401, 1015
v. Commonwealth, 25 Ky. L. 374, 315
v. Cranberry, &c., Co., 94 N. C. 525, 1373
v. Delaware, &c., R. Co., 113 Pa. St. 162, 1154, 1249, 1252, 1261
v. Downer, 31 Cal. 480, 783
v. Evansville, &c., R. Co., 121 Ind. 124, 1322, 1323
v. Fletcher, 15 Ind. 80, 115
v. Gillean, 23 Tex. 508, 573
v. Grand Trunk, &c., R. Co., 48 N. H. 304, 1585, 1587, 1588, 1801
v. Great Indian, &c., R. Co., 4 DeG. & J. 559, 79
v. Great Northern Railway Co., L. R. 1 C. P. 385, 1484, 1520
v. Griswold, 14 N. J. Law, 222, 156, 162, 191, 193
v. Holman, 45 Mo. 371, 1774
v. Holmes, 127 U. S. 489, 165, 167, 620
v. Houston, &c., Co., (Tex. Civ. App.) 85 S. W. 1019, 1096bs
v. Ifill, 1 N. R. 566, 190
v. Ironworks, 124 Fed. 826, 1559
v. Jenkins, 6 Jones L. (N. C.) 316, 520
v. Lake Shore, &c., R. Co., 45 Mich. 74, 711
v. Life Assn. of America, 3 Fed. 465, 561
v. Liverpool, &c., Steam Co., L. R. 9 Q. B. 546, 1513
v. Louisville, &c., R. Co., 41 S. W. 551, 1243a
v. Louisville, &c., R. Co., 88 Fed. 350, 751b
v. McFadden, 84 Ia. 262, 849
v. Maine Cent. R. Co., 87 Me. 209, 1435
v. Marey, 25 Ill. 518, 1055
v. Mason, 9 Wheat, 325, 940
v. Metropolitan El. R. Co., 50 N. Y. Super. Ct. 311, 1048
v. Miami, &c., Co., 6 Ohio, 176, 87
v. Midland R. Co., 29 L. J. Ch. 731, 92
v. Missouri Pac. R. Co., 16 S. W. 206, 1327a
v. Nevada, &c., R. Co., 26 Nev. 415, 1295
v. Newberne, 2 Jones Eq. (N. Car.) 141, 17
v. New York, &c., R. R. Co., 38 N. J. L. 28, 41
v. North Star, &c., Co., 79 Cal. 285, 154
v. Palmer, 31 Cal. 240, 789
v. Pennsylvania Co., 50 Fed. 755, 1587, 1590, 1639
v. Pennsylvania, &c., R. Co., 174 Pa. St. 171, 1226, 1229
v. Philadelphia, &c., R. Co., 14 Phila. (Pa.) 451, 588, 595
v. Philadelphia, &c., R. Co., 9 Fed. R. 1, 567, 590
v. Philadelphia, &c., R. Co., 7 Fed. 377, 590
v. Philadelphia, &c., R. Co., 7 Fed. 381, 89

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Taylor v. Philadelphia, &c., R. Co., 7 Fed. 386, 342, 482
v. Place, 4 R. I. 324, 666
v. Porter, 4 Hill 140, 665, 666
v. Portsmouth, &c., St. R. Co., 91 Me. 193, 20, 1096c, 1096bk
v. Railroad Co., 50 Fed. 755, 1641
v. Salmon, 4 Myl. & C. 134, 376, 631
v. San Antonio, &c., R. Co., 36 Tex. Civ. App. 658, 1057g
v. Second Ave., &c., Co., 17 J. & S. (N. Y.) 513, 210
v. South, &c., R. Co., 4 Woods (U. S.) 575, 82
v. South, &c., R. Co., 13 Fed. 152, 81, 89, 353
v. Spokane, &c., R. Co., 32 Wash. 450, 1184
v. Taylor, 74 Me. 582, 292
v. Thompson, 42 Ill. 9, 816
v. Turner, 87 Ill. 296, 1426
v. Union Trac. Co., 184 Pa. St. 465, 1095
v. United States, 3 How. (U. S.) 197, 715
v. Warner, 60 S. W. 442, 1850
v. Wells, 3 Watts. (Pa.) 65, 1401b
v. Ypsilanti, 105 U. S. 60, 768, 818, 896
Taylor County Court v. Baltimore, &c., R. Co., 35 Fed. 161, 276
Taylor, &c., R. Co. v. Montgomery, 16 S. W. 178, 1511, 1748
v. Montgomery, 4 Tex. App. (Civil Cases) 401, 1553
v. Sublett, 16 S. W. 182, 1748
v. Taylor, 79 Tex. 104, 1292
v. Warner, 88 Tex. 642, 1102
v. Warner (Tex. Civ. App.), 31 S. W. 66, 1176
v. Warner, 84 Tex. 122, 1378a
Taylor, &c., Co. v. Adams Express Co., 71 N. J. L. 523, 621
Taymouth Tp. v. Koehler, 35 Mich. 22, 228, 267
Teachout v. Des Moines, &c., St. R. Co., 75 Iowa, 722, 165, 1096q, 1096s
v. Van Hoesen, 76 Iowa, 113, 13
Teagan Transport Co. v. Board of Assessors, 139 Mich. 1, 741
Teague v. LeGrand, 89 Ala. 493, 626
Teall v. Sears, 9 Barb. (N. Y.) 317, 1401a
Tebbitts v. Rock Island, &c., R. Co., 49 Ill. App. 567, 1415
Tebbs v. Cleveland, &c., R. Co., 20 Ind. App. 192, 1536
Tebbutt v. Bristol, &c., R. Co., L. R. 6 Q. B. 73, 1256
Tecumseh Celery Co. v. Cincinnati, &c., R. Co., 4 I. C. C. 318, 1678a
Tecumseh Mills v. Louisville, &c., R. Co., 108 Ky. 572, 1506, 1507
Teele v. Boston, 165 Mass. 88, 1036
Teetsil v. Summons, 34 N. Y. S. 972, 1303
Telander v. Sunlin, 44 Fed. 564, 1318
Telegraph Co. v. Davenport, 97 U. S. 369, 92, 98
v. Texas, 105 U. S. 460, 658, 667, 755, 756, 759, 765, 1673
Telegraphers v. Louisville, &c., R. Co., 148 Fed. 437, 1688b
Telephone, &c., Co. v. Forke, 2 Tex. App. Civ. Cas. 318, 1025
Telfair County v. Webb, 119 Ga. 916, 1735
Telfer v. Northern, &c., R. Co., 30 N. J. Law, 188, 1158, 1160, 1161, 1378
Telford v. Chicago, &c., R. Co., 172 Ill. 559, 421, 935
Telford, &c., Co. v. Gerhab (Pa.), 21 Am. & Eng. Corp. Cas. 471, 98
Temperton v. Russell, L. R. (1893) 1 Q. B. 715, 1688
Templin v. Chicago, &c., R. Co., 73 Iowa, 548, 283, 285, 355, 1071
Ten Broeck v. Sherrill, 71 N. Y. 276, 959
Tenbrooke v. Jahke, 77 Pa. St. 392, 1025
Ten Eyck v. Pontiac, &c., Co., 74 Mich. 226, 251, 267, 272
Ten Hour Law, In re. 24 R. I. 603, 668, 1336
Tennent v. City of Glasgow Bank, L. R. 4 App. Cas. 615, 131, 132, 181
Tennessee v. East Tenn. &c., Co., 115 Fed. 305, 1096i
v. Pullman, &c., Co., 117 U. S. 51, 755, 760, 763
v. Union, &c., Bank, 152 U. S. 454, 708
v. Whitworth, 117 U. S. 129, 63, 76, 329, 330, 741a, 747, 749
v. Whitworth, 22 Fed. 81, 330
Tennessee Bond Cases, 114 U. S. 663 503
Tennessee Cent. R. Co. v. Campbell, 109 Tenn. 655, 920, 958, 1030a, 1054
Tennessee Coal, &c., Co. v. Waller, 37 Fed. R. 545, 653
Tennessee Ice Co. v. Raine, 107 Tenn. 151, 373
Tennessee, &c., R. Co. v. Adams, 3 Head (Tenn.), 596, 38, 40, 41, 927a, 974
v. Bayliss, 75 Ala. 466, 1589
v. Birmingham, &c., R. Co., 128 Ala. 526, 1053
v. East Alabama R. Co., 73 Ala. 426, 161, 256, 263
v. East Alabama, &c., R. Co., 75 Ala. 516, 1125
v. Hayes, 97 Ala. 586, 1342
v. Herndon, 100 Ala. 451, 1357, 1689c
v. Kyle, 93 Ala. 1, 1277, 1278
v. Walker, 11 Heisk. (Tenn.) 383, 711
Tennessee, &c., Trans. Co. v. Kavanaugh, 93 Ala. 324, 340
Tenny v. East Warren Lumber Co., 43 N. H. 343, 257
Tennis v. Interstate, &c., R. Co., 45 Kan. 503, 1257
Tennis Bros Co. v. Wetzel, &c., R. Co., 140 Fed. 193, 1068, 1070
Terbell v. Lee, 40 Fed. 40, 533
Terpening v. Smith, 46 Barb. (N. Y.) 208, 1055
Terre Haute v. Evansville, &c., R. Co., 149 Ind. 174, 964, 966, 1015
Terre Haute Elec. Co. v. Kiely, 35 Ind. App. 180, 1315g
v. Lauer, 21 Ind. App. 486, 1096cz
v. Yant, 21 Ind. App. 486, 1096cn, 1264
Terre Haute, &c., R. Co., v. Becker, 146 Ind. 202, 1280, 1281, 1300
v. Bissell, 108 Ind. 113, 1087
v. Baker, 122 Ind. 433, 625, 627, 1019
v. Brown, 107 Ind. 336, 222

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Terre Haute, &c., R. Co. v. Brunker, 128 Ind. 542, 1818
v. Buck, 96 Ind. 346, 1231, 1627a, 1628
v. Chicago, &c., R. Co., 150 Ill. 502, 1394, 1397
v. Clark, 73 Ind. 168, 1160, 1167, 1589
v. Clem, 123 Ind. 15, 1176, 1349, 1584
v. Cox, 102 Fed. 825, 449, 454, 478
v. Crawford, 100 Ind. 550, 996, 1045
v. Earhart, 35 Ind. App. 51, 1181
v. Earp, 21 Ill. 291, 886
v. Fitzgerald, 47 Ind. 79, 1593, 1600, 1637, 1638, 1661
v. Flora, 29 Ind. App. 442, 987, 1035a, 1042, 1050, 1053a
v. Fowler, 145 Ind. 682, 1271, 1303
v. Graham, 95 Ind. 286, 1172, 1248, 1251, 1257, 1313
v. Indianapolis Traction Co., 78 N. E. 661, 1048
v. Jackson, 81 Ind. 19, 213, 1096dc, 1265, 1638
v. Jarvis, 9 Ind. App. 438, 1828
v. McCorkle, 140 Ind. 613, 1689d, 1697, 1702
v. McKinley, 33 Ind. 274, 977, 1005, 1057, 1057d
v. McMurray, 98 Ind. 358, 221a, 222, 302
v. Mansberger, 65 Fed. R. 196, 1306, 1313, 1327
v. Pennsylvania, 90 Ind. 284, 1214
v. Peoria, &c., R. Co., 61 Ill. App. 405, 453
v. Pierce, 95 Ind. 496, 1215
v. Rittenhouse, 28 Ind. App. 633, 1356
v. Rodel, 89 Ind. 128, 1096
v. Salmon, 161 Ind. 131, 1181, 1220
v. Scott, 74 Ind. 29, 933
v. Sheeks, 155 Ind. 74, 1586, 1587, 1634, 1644, 1825, 1827
v. Sherwood, 132 Ind. 129, 1500, 1516, 1549, 1714, 1719
v. Smith, 16 Ind. 102, 1188
v. Soice, 128 Ind. 105, 1057g
v. Solisbury, 77 N. E. 1097, 1181
v. Stockwell, 118 Ind. 98, 222
v. Tappenbock, 9 Ind. App. 422, 1172
v. Voelker, 129 Ill. 540, 711, 1153, 1155, 1166, 1179a
v. Walsh, 11 Ind. App. 13, 1226, 1239, 1244
v. Williams, 172 Ill. 379, 1191, 1270
Terrell v. Allison, 21 Wall. (U. S.) 289, 511
Terrett v. Taylor, 9 Cranch, 43, 806, 951
Territory v. Lockwood, 3 Wall. (U. S.) 236, 644
Territory of Mex. v. U. S. Trust Co., 172 U. S. 182, 5
Terry v. Anderson, 95 U. S. 628, 179, 1007
v. Eagle Lock Co., 47 Conn. 141, 87, 307, 313, 320
v. Flushing, &c., R. Co., 13 Hun (N. Y.), 359, 1576, 1595
v. Jewett, 78 N. Y. 338, 1378b, 1589, 1628
Terry v. Little, 101 U. S. 216, 182, 185
v. Martin (N. M.), 32 Pac. 157, 585
v. Merchants', &c., Bank, 66 Ga. 177, 55, 612
v. New York, &c., R. Co., 22 Barb. 574, 1007
v. St. Louis, &c., R. Co., 89 Mo. 586, 1158, 1761
v. Tubman, 92 U. S. 156, 179
Terwilliger v. Great Western Tel. Co., 59 Ill. 249, 206
Tesch v. Milwaukee, &c., R. Co., 108 Wis. 593, 1096cj
Tetherow v. St. Joseph, &c., R. Co., 98 Mo. 74, 1176
Teunenbrock v. South Pac. R. Co., 59 Cal. 269, 1257
Tevis v. Hammersmith, 161 Ind. 74, 167
Tewes v. North German Lloyd Steamship Co., 186 N. Y. 151, 1661
Tewksbury v. Bronson, 48 Wis. 581, 1073
Texarkana, &c., Co. v. Orr, 59 Ark. 215, 1096cm
Texarkana, &c., R. Co. v. Preacher, 59 S. W. 593, 1796
v. Tolliver, 84 S. W. 375, 1808
Texas Cent. R. Co. v. Merkl, 32 Tex. 723, 1049c
Texas Express Co. v. Texas, &c., R. Co., 6 Fed. 426, 1564
Texas Land, &c., Co. v. Worsham, 76 Tex. 556, 30
Texas Midland R. Co. v. Frey, 25 Tex. Civ. App. 386, 1096cu
v. Davidson, 68 Tex. 370, 1840
Texas Southern R. Co. v. Long, 35 Tex. Civ. App. 339, 1830
Texas Transportation Co. v. Seeligson, 122 U. S. 519, 655
Texas, &c., R. Co. v. Adams, 78 Tex. 372, 202, 580, 587, 1438, 1450, 1512
v. Adams, 32 Tex. Civ. App. 112, 1833
v. Archibald, 170 U. S. 665, 1279, 1288, 1289, 1291
v. Arnold, 16 Tex. Civ. App. 74, 1719, 1734
v. Atchison, 54 S. W. 1075, 1833
v. Ball, 85 S. W. 456, 1172
v. Ball, 73 S. W. 420, 1849
v. Barnhart, 5 Tex. Civ. App. 601, 709, 1450
v. Barrett, 67 Fed. 214, 1278
v. Barrett, 166 U. S. 617, 1275, 1278, 1299, 1689g, 1796
v. Barron, 78 Tex. 421, 1584, 1795
v. Barrow, 94 S. W. 176, 1465
v. Beckworth, 11 Tex. Civ. App. 153, 1844
v. Beezley, 101 S. W. 1051, 1841
v. Behmyer, 189 U. S. 468, 1342, 1795, 1829
v. Bell, 87 S. W. 730, 1576
v. Berry, 31 Tex. Civ. App. 3, 1450, 1658
v. Bigham, 90 Tex. 223, 1551a
v. Bingle (Tex. Civ. App.), 29 S. W. 674, 1273
v. Black, 87 Tex. 160, 1580, 1581, 1629, 1776
v. Bloom, 60 Fed. 979, 528, 581
v. Bloom, 164 U. S. 636, 581
v. Boggs, 40 S. W. 20, 1755
v. Bolin, 32 S. W. 918, 1773

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Texas, &c., R. Co. v. Bond, 62 Tex. 442, 1637
v. Born, 20 Tex. Civ. App. 351, 1846
v. Bowman, 97 Tex. 417, 979
v. Boyd, 6 Tex. Civ. App. 205, 1632
v. Brannon, 96 S. W. 1095, 1257
v. Brick, 83 Tex. 598, 1796
v. Brown, 78 Tex. 397, 1590, 1641
v. Brown, 86 S. W. 659, 1057g
v. Buchalew (Tex.), 34 S. W. 165, 1587, 1634
v. Burnett, 80 Tex. 536, 1773
v. Byers, 73 S. W. 427, 1553
v. Byers Bros. 84 S. W. 1087, 1748
v. Callender, 183 U. S. 632, 1424, 1443, 1505
v. Capps (Tex.), 16 Am. & Eng. R. Cas. 118, 1649, 1652
v. Capps, 2 Tex. App. (Civ. Cas.) 35, 1652, 1659
v. Carlton, 60 Tex. 397, 1279, 1394
v. Casey, 52 Tex. 112, 1637
v. Cisco Oil Mill, 204 U. S. 449, 16841
v. Clayton, 173 U. S. 348, 1449, 1519
v. Cody, 166 U. S. 606, 649, 1253
v. Cole, 27 Am. & Eng. R. Cas. 144, 1823
v. Collins, 84 Tex. 121, 577
v. Connaughton, 20 Tex. Civ. App. 642, 1389
v. Conroy, 68 Ill. 560, 1271
v. Cornelius, 10 Tex. Civ. App. 125, 1641, 1820
v. Coutourie, 135 Fed. 465, 1711
v. Cox, 145 U. S. 593, 573, 576, 652, 1271, 1273, 1339, 1366
v. Crowder, 76 Tex. 499, 1697
v. Crowder, 70 Tex. 222, 1272
v. Crowley, 86 S. W. 342, 16891
v. Crutcher, 82 S. W. 341, 1204, 1206
v. Cumpton, 15 Tex. Civ. App. 493, 1298a, 1780
v. Currie, 33 Tex. Civ. App. 277, 1746, 1755
v. Curry, 2 Wills. Civ. Cas. Ct. App. 453, 1742
v. Curry, 64 Tex. 85, 1625, 1815
v. Davis, 2 Tex. App. (Civ. Cas.) 156, 1511
v. Davis, 40 S. W. 167, 726a
v. Dawson, 34 Tex. Civ. App. 240, 1746
v. Dean, 98 Tex. 517, 1265, 1638
v. DeMilley, 60 Tex. 194, 1788
v. Dennis, 4 Tex. Civ. App. 90, 1594, 1598, 1601
v. Dick, 26 Tex. Civ. App. 256, 1591, 1592
v. Dishman, 85 S. W. 319, 1548, 1734, 1737
v. Dishman, 91 S. W. 826, 1752
v. Doherty (Tex. App.), 15 S. W. 44, 1179
v. Dorman, 62 S. W. 1086, 1065, 1073
v. Dorsey, 30 Tex. Civ. App. 377, 1752
v. Douglass, 30 S. W. 487, 1662a
v. Douglass, 73 Tex. 325, 1815
v. Durrett, 57 Tex. 48, 934
v. Eastin, 102 S. W. 105, 1556a
Texas, &c., R. Co. v. Easton, 2 Tex. Civ. App. 378, 1320
v. Echols, 87 Tex. 339, 1280
v. Eddy, 42 Ark. 527, 1036, 1036b, 1041
v. Edins, 83 S. W. 253, 1550
v. Ellison, 87 S. W. 213, 1578a
v. E. R. & D. C. Kolp, Jr., 88 S. W. 417, 1753
v. Fambrough, 55 S. W. 188, 1746
v. Felker, 90 S. W. 530, 1479, 1482, 1548
v. Fenwick, 34 Tex. Civ. App. 222, 1645
v. Ferguson, 1 Tex. App. Civ. Cas. 1253, 1662a
v. Ferguson, 1 Tex. App. (Civ. Cas.) 724, 1647, 1648, 1658, 1660
v. Fields, 32 Tex. Civ. App. 414, 1314
v. Fletcher, 6 Tex. Civ. App. 736, 1172, 1261
v. Fuller, 5 Tex. Civ. App. 660, 1164
v. Gaines (Tex.), 27 S. W. 266, 401, 948
v. Gains (Tex. Civ. App.), 26 S. W. 433, 1226
v. Garcia, 62 Tex. 285, 1606
v. Gay, 86 Tex. 571, 551, 554, 573, 587
v. Geiger, 79 Tex. 13, 577
v. Gentry 163 U. S. 353, 1163, 1179b, 1850
v. Gentry, 69 Tex. 625, 373, 491, 492, 493, 497, 502
v. George, 89 S. W. 1090, 1268
v. Glenn (Tex.), 30 S. W. 845, 1200
v. Gray, 71 S. W. 316, 1592
v. Gray, 99 S. W. 1125, 1500, 1556a, 1719
v. Gray, 86 Tex. 571, 581
v. Griffin, 76 Tex. 441, 587
v. Guy, 23 S. W. 633, 1272
v. Hall, 31 Tex. Civ. App. 464, 1754
v. Hamilton, 66 S. W. 797, 1851
v. Hamilton, 66 Tex. 92, 1587
v. Harrington, 62 Tex. 597, 1697
v. Harrington, 98 S. W. 653, 1588a
v. Harrison Co., 54 Tex. 119, 872
v. Hartnett, 33 Tex. Civ. App. 103, 1315a
v. Hassell, 23 Tex. Civ. App. 681, 1731, 1755
v. Hawkins (Tex.), 30 S. W. 1113, 1438
v. Hayden, 6 Texas Civ. App. 745, 1580, 1837
v. Hays, 5 Texas Law, R. 771, 998
v. Hays, 2 Wills Civ. Cas. Ct. App. 391, 1707
v. Hervey, 89 S. W. 1095, 1354
v. Higgins, 99 S. W. 200, 1298, 1829
v. Hoffman, 83 Tex. 286, 581
v. Hohn, 1 Tex. Civ. App. 36, 1269
v. Huber, 92 S. W. 832, 656a
v. Hudman, 8 Tex. C. App. 309, 1590
v. Hughes, 91 S. W. 567, 722a
v. Humphries, 20 Tex. Civ. App. 28, 1831
v. Insurance Co., 73 S. W. 1088, 1244

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Texas, &c., R. Co. v. Interst. Com. Com., 162 U. S. 197. 1666, 1667, 1670, 1672, 1673, 1677, 1679, 1682, 1683, 1684g
v. Jackson, 85 Tex. 605, 55
v. James, 82 Tex. 306, 1823
v. Jarrell, 60 Tex. 267, 949, 1049
v. Johnson, 76 Tex. 421, 528, 581, 587, 1297
v. Johnson, 86 Fed. 421, 1788
v. Johnson, 2 Tex. App. (Civil Cases) 154, 1591
v. Johnson, 89 Tex. 519, 1291, 1292
v. Johnson, 151 U. S. 81, 573, 580, 581
v. Johnson, 99 S. W. 738, 1333a, 1829
v. Jones, 39 S. W. 124, 1591c
v. Jumper, 24 Tex. Civ. App. 671, 1588
v. Juneman, 71 Fed. R. 939, 1258
v. Kelly, 98 Tex. 123, 1301a
v. Kirby, 44 Ark. 103, 1038
v. Kirk, 115 U. S. 12, 965
v. Klepper, 25 S. W. 150, 1727
v. Klepper, 29 Tex. Civ. App. 590, 1753
v. Kuteman, 54 Fed. R. 547, 632, 654, 1683
v. Kuteman, 79 Tex. 465, 1415, 1683
v. Lanham, 1 Tex. App. (Civ. Cas.) 99, 1218
v. Langham, 95 S. W. 686, 1204
v. Lawrence, 95 S. W. 663, 1647, 1648
v. Lee, 32 Tex. Civ. App. 23, 1806
v. Leighty (Tex. Civ. App.), 32 S. W. 799, 1282
v. Leighty, 88 Tex. 604, 1133
v. Lester, 75 Tex. 56, 218
v. Levi, 59 Tex. 674, 1224, 1239
v. Levine, 87 Tex. 437, 1245
v. Long, 1 Tex. App. Civ. Cas. 281, 1048
v. Ludlam, 57 Fed. R. 481, 1577
v. Ludlam (Tex.), 26 S. W. 430, 200, 1593
v. Lynch, 87 S. W. 884, 1689l
v. Lyons (Tex. Civ. App.), 34 S. W. 362, 526, 1273
v. McCaughey, 62 Tex. 271, 1073
v. McCoy, 90 Tex. 264, 1272
v. McDonald, 2 Tex. App. (Civ. Cases) 144, 1637
v. McGilvary (Tex. Civ. App.), 29 S. W. 67, 1578
v. McKee (Tex. Civ. App.), 29 S. W. 544, 1297
v. McKenzie, 30 Tex. Civ. App. 293, 1841
v. McManus, 15 Tex. Civ. App. 122, 1179e
v. McNairy, 94 S. W. 111, 1755
v. Mahaffey, 81 S. W. 1047, 709, 712
v. Marlor, 123 U. S. 687, 482
v. Marshall, 136 U. S. 393, 119, 342, 694, 1062
v. Matthews, 60 Tex. 215, 988
v. Mayes (Texas), 15 S. W. 43, 662, 668
v. Mayfield, 23 Tex. Civ. App. 415, 1628a
v. Medaris, 64 Tex. 92, 1226
v. Meeks, 74 S. W. 329, 1850
v. Miller, 79 Tex. 78, 1628, 1839
v. Miller, 88 S. W. 499, 1730
Texas, &c., R. Co. v. Minnick, 57 Fed. R. 362, 1288
v. Minnick, 61 Fed. R. 635, 1289, 1297
v. Mitchell, 45 S. W. 945, 1847
v. Moody (Tex. C. App.), 23 S. W. 41, 1255
v. Moore (Tex. Civ. App.), 27 S. W. 962, 467
v. Morrison Faust Co., 20 Tex. Civ. App. 144, 1649a
v. Mugg, 202 U. S. 242, 1565, 1684l
v. Murphy, 46 Tex. 356, 334
v. Murtishaw, 34 Tex. Civ. App. 447, 1734
v. Neal, 33 S. W. 693, 1804
v. Neill (Tex. Civ. App.), 30 S. W. 369, 1176
v. Nelson, 86 S. W. 616, 1745, 1755
v. Nicholson, 61 Tex. 491, 1415, 1473, 1547, 1551
v. Nolan, 62 Fed. R. 552, 1175
v. O'Donnell, 58 Tex. 27, 1253
v. O'Fiel, 78 Tex. 486, 1279
v. O'Loughlin, 84 S. W. 1104, 1449, 1754
v. Orange, &c., R. Co., 29 Tex. Civ. App. 38, 1050
v. Orr, 46 Ark. 182, 1641
v. Orr, 68 Ill. 500, 1585
v. Overall, 82 Tex. 247, 1584
v. Parrish, 1 Tex. App. (Civ. Cas.) 529, 1445
v. Patterson, 102 S. W. 138, 1849
v. Patton, 61 Fed. R. 259, 1297
v. Payne, 15 Tex. Civ. App. 58, 1755
v. Payne, 87 S. W. 330, 1594, 1597
v. Peters, 31 Tex. Civ. App. 6, 726a
v. Pierce, 10 Tex. Civ. App. 429, 1641, 1804
v. Powell, 34 Tex. Civ. App. 575, 1745
v. Powell, 86 S. W. 21, 1766
v. Powell (Tex. Civ. App.), 35 S. W. 841, 1598
v. Prude, 86 S. W. 1046, 1239
v. Pyle, 83 S. W. 234, 1342
v. Ray, 84 S. W. 691, 1706
v. Reed, 88 Tex. 439, 1329
v. Reeder, 170 U. S. 530, 1632
v. Reeves, 15 Tex. Civ. App. 157, 1734
v. Reiss, 183 U. S. 621, 1424, 1426, 1449
v. Rhodes, 71 Fed. R. 145, 1274, 1278
v. Richards, 68 Tex. 375, 1364, 1366
v. Richmond, 94 Tex. 571, 1516
v. Robards, 60 Tex. 545, 362, 386, 393, 941
v. Robertson, 82 Tex. 657, 1368
v. Rogers, 57 Fed. R. 378, 1290, 1298
v. Rosedale, &c., R. Co., 64 Tex. 80, 1088, 1096c
v. Ross (Tex. Civ. App.), 27 S. W. 728, 1235, 1237
v. Rowland, 3 Tex. Civ. App. 158, 1796
v. Russell, 97 S. W. 1090, 1648, 1662a
v. Rust, 19 Fed. R. 239, 1058
v. Rust, 17 Fed. R. 275, 546
v. Rutherford, 28 Tex. Civ. App. 590, 1243a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Texas, &c., R. Co. v. Scharbauer, 52 S. W. 590, 1730, 1755
v. Scoggin, 90 S. W. 521, 1442, 1556a
v. Scott, 86 S. W. 1065, 1551
v. Scott, 77 Fed. 726, 400
v. Scoville, 62 Fed. R. 730, 1264
v. Scrivener, 49 S. W. 649, 1850
v. Scruggs, 23 Tex. Civ. App. 712, 1815
v. Sherman, 87 S. W. 887, 1283
v. Sherrod, 87 S. W. 363, 1730
v. Shimmer, 4 Tex. Civ. App. 661, 1303
v. Short, 58 S. W. 56, 1820, 1851
v. Skinner, 4 Tex. Civ. App. 661, 215, 1251, 1305
v. Slaughter, 84 S. W. 1085, 1755
v. Smissen, 31 Tex. Civ. App. 549, 1548
v. Smith, 67 Fed. R. 524, 1271, 1288, 1604, 1645
v. Smith & White, 79 S. W. 1031, 1745
v. Snyder, 86 S. W. 1041, 1546
v. Southern Pac. R. Co., 41 La. Ann. 970, 366, 385
v. Spradling, 72 Fed. 152, 1165, 1175
v. State, 83 Tex. 1, 547, 553
v. State, 41 Ark. 498, 709
v. Stator, 102 S. W. 156, 1551a
v. Stephens, 86 S. W. 933, 1730
v. Stewart, 86 S. W. 631, 1755
v. Stewart, 96 S. W. 106, 1714, 1755
v. Storey, 29 Tex. Civ. App. 483, 1591
v. Storey, 83 S. W. 852, 1639
v. Stribling (Tex. Civ. App.), 34 S. W. 1002, 726a, 1546, 1748
v. Stuart, 1 Tex. C. A. 642, 1633
v. Sutor, 56 Tex. 496, 947, 949
v. Swearingen, 196 U. S. 51, 1269, 1288, 1795
v. Tankersley, 63 Tex. 57, 1239
v. Tarkington, 27 Tex. Civ. App. 353, 1638, 1836
v. Tatman, 10 Tex. Civ. App. 434, 1321, 1327a
v. Taylor, 3 Tex. App. (Civ. Cas.) 234, 1660
v. Taylor, 58 S. W. 844, 1839
v. Taylor, 58 S. W. 166, 1820
v. Texas, &c., R. Co., 6 Fed. R. 426, 1467
v. Thompson, 70 Fed. R. 944, 1273
v. Tracy, 85 S. W. 833, 1734
v. Tribble, 67 S. W. 890, 1751
v. Truesdell, 21 Tex. Civ. App. 125, 1730, 1755
v. Turner, 37 S. W. 643, 1551a
v. Virginia, &c., Co. (Tex.) 7 S. W. 341, 616, 1218
v. Volk, 151 U. S. 73, 1313
v. Warner, 93 S. W. 489, 1452
v. Watkins (Tex.), 29 S. W. 232, 1257
v. Watkins, 26 S. W. 760, 1154
v. Watson (Tex.), 24 S. W. 952, 587
v. Watson, 190 U. S. 287, 1236
v. Watts (Tex.), 18 S. W. 312, 587
v. Wheat, 2 Wills Civ. Cas. Ct. App. 166, 1722
v. Whitaker, 36 Tex. Civ. App. 571, 1057g
v. White, 101 Fed. 928, 1605, 1804
Texas, &c., R. Co. v. White, 35 Tex. Civ. App. 521, 1734, 1751
v. White, 82 Tex. 543, 581
v. Whiteley, 96 S. W. 109, 1628b
v. Williams, 62 Fed. R. 440, 1265
v. Willis, 3 Tex. App. (Civ. Cas.) 94, 1661
v. Wilson, 83 Tex. 153, 401
v. Woldridge, 63 S. W. 905, 1245b
v. Woods, 15 Tex. Civ. App. 612, 1639
v. Wynne, 22 S. W. 1064, 1298a
v. Young, 60 Tex. 201, 1198
Texas-Mexican R. Co. v. Douglas, 73 Tex. 325, 1807
Textor v. Baltimore, &c., R. Co., 59 Md. 63, 1085
Thacker v. Chicago, &c., R. Co., 159 Ind. 82, 1356
Thackrah v. Haas, 119 U. S. 499, 93
Thain v. Old Colony R. Co., 161 Mass. 353, 1269, 1297
Thames, The, 14 Wall. (U. S.) 98, 1426, 1428, 1430, 1527
Thames, &c., Co. v. Lathrop, 7 Conn. 550, 862
Thane v. Scranton Trac. Co., 191 Pa. St. 249, 1096cz
Tharp v. Witham, 65 Iowa, 566, 1012, 1049
Thatcher v. Adams, 19 Neb. 485, 750
v. Central, &c., Co., 166 Pa. St. 66, 1095, 1096bo, 1096at
v. Fitchburg R. Co., 1 Interst. Com. 356, 1687
v. Great Western, &c., R. Co., 4 U. C. C. P. 543, 1587
v. Maine Central R. Co., 85 Me. 502, 1222, 1223, 1243, 1243a
v. Powell, 6 Wheat. 119, 684
Thayer v. Brooks, 17 Ohio St. 489, 1057d
v. Burchard, 99 Mass. 508, 1470
v. Burger, 100 Ind. 262, 1041
v. Flint, &c., R. Co., 93 Mich. 150, 1102, 1114c, 1689d
v. Life Ass'n, 112 U. S. 717, 647
v. Middlesex, &c., Co., 10 Pick. 326, 266
v. Montgomery Co., 3 Dill. (U. S.) 389, 485
v. New Bedford, &c., R. Co., 125 Mass. 253, 977
v. Tyler, 10 Gray (Mass.), 164, 625
v. Vermont, &c., R. Co., 24 Vt. 440, 1059, 1060, 1061
v. Wathen, 17 Tex. Civ. App. 382, 531a
Theatrical Rates, Re, 1 Interst. Com. 18, 1687
Theobold v. Louisville, &c., R. Co., 66 Miss. 279, 630, 1085, 1087
Thebus v. Smiley, 110 Ill. 316, 186, 189
Theobald v. St. Louis Transit Co., 191 Mo. 395, 1096ce
Theroux v. Northern, &c., R. Co., 64 Fed. R. 84, 1366, 1373
Thetford's Case, 1 Salk. 192, 195
Thetford v. Kilburn, 36 Vt. 179, 1019
Thew v. Porcelain Mfg. Co., 5 S. C. 415, 269
Thiele v. McManus, 3 Ind. App. 137, 1251
Thigpen v. Mississippi, &c., R. Co., 32 Miss. 347, 112

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Third Ave. R. R. Co., Matter of, 121 N. Y. 536, 9, 1096r
Third Ave. R. Co. v. Krausz, 112 Fed. 379, 1096dd
Third Nat. Bank v. Seneca Falls, 15 Fed. R. 783, 898
Thirteenth St. R. Co. v. Boudrou, 92 Pa. St. 475, 1096cz, 1589, 1630
Thirty-fourth St. R. Co., In re, 102 N. Y. 343, 1016
Tholen v. Brooklyn City R. Co., 30 N. Y. S. 1081, 1096cl, 1096cq
Thom v. Pittard, 62 Fed. 232, 1298, 1317
Thomas' Case, L. R. 13 Eq. 437, 176
Thomas v. Ann Arbor R. Co., 114 Mich. 59, 1329
v. Bonnville R. Co., 109 U. S. 522, 275
v. Boston, &c., R. Co., 10 Metc. 472, 1393, 1465, 1518, 1527
v. Brownville, &c., R. Co., 109 U. S. 522, 1058
v. Charlotte, &c., R. Co., 38 S. Car. 485, 1628
v. Chicago, &c., R. Co., 93 Ia. 248, 1257, 1794, 1849
v. Chicago, &c., R. Co., 49 Mo. App. 110, 1377
v. Chicago, &c., R. Co., 72 Mich. 355, 1582, 1629, 1637
v. Chicago, &c., R. Co., 86 Mich. 496, 1164
v. Chicago, &c., R. Co., 103 Ia. 649, 1154, 1251
v. Chicago, &c., R. Co., 114 Ia. 169, 1849
v. Cincinnati, &c., R. Co., 62 Fed. 17, 567, 633, 727, 1688
v. Cincinnati, &c., R. Co., 62 Fed. 803, 565, 1327a, 1329
v. Citizens' Horse R. Co., 104 Ill. 462, 491, 492, 513
v. Citizens' Pass. R. Co., 132 Pa. St. 504, 1095, 1778
v. City, &c., Bank, 40 Neb. 501, 283, 345
v. Consolidated Trac. Co., 62 N. J. L. 36, 1096cc
v. Dakin, 22 Wend. 9, 75
v. Delaware, &c., R. Co., 8 Fed. R. 729, 1150, 1151, 1153, 1154, 1161, 1168, 1701
v. East Tenn., &c., R. Co., 63 Fed. 420, 1378b
v. Express Co., 73 Minn. 185, 1537
v. Frankfort, &c., R. Co., 116 Ky. 879, 1569, 1570
v. Geidhart, 20 New Bruns. 95, 1637
v. Gt. Northern R. Co., 147 Fed. 83, 650, 650a
v. Great Western R. Co., 14 Up. Can. Q. B. 389, 1647, 1649a
v. Harrington, 65 L. R. A. 742, 1063
v. Interstate Co. St. R. Co., 167 Pa. St. 120, 1096i
v. Lancaster Mills, 71 Fed. R. 481, 1488, 1508
v. Louisville, &c., R. Co. (Ky.) 35 S. W. 910, 1697
v. Milledgeville R. Co., 99 Ga. 714, 532
v. Missouri Pac. R. Co., 109 Mo. 187, 1279, 1394, 1395, 1685
v. New York, &c., R. Co., 139 N. Y. 163, 482
v. New York, &c., R. R. Co., 54 N. Y. S. 498, 482
Thomas v. North Staffordshire R. Co., 3 Nev. & Mac. 1, 1678
v. North Staffordshire R. Co., 21 Sol. Jour. 183, 1466
v. Peoria R. Co., 36 Fed. R. 808, 348, 528, 580
v. Philadelphia, &c., R. Co., 148 Pa. St. 180, 1644
v. Placerville, &c., Mining Co., 65 Cal. 600, 621
v. Quartermaine, L. R. 18 Q. B. D. 685, 1288a, 1345
v. Railroad Co., 101 U. S. 71, 38, 45, 236, 370, 374, 376, 384, 385, 1096ad, 1237
v. Rhymney R. Co., L. R. 5 Q. B. 226, 476
v. Richmond, 12 Wall. (U. S.) 349, 876, 1663
v. Royster (Ky.), 32 S. W. 613, 1360
v. St. Louis & C. R. Co., 37 Fed. 839, 960
v. St. Louis, &c., R. Co., 164 Ill. 634, 1027, 1028, 1030a
v. Snyder, 39 Pa. St. 317, 1559
v. South Side Elevated R. Co., 218 Ill. 571, 957
v. Southern R. Co., 122 N. Car. 1005, 1627a
v. Union R. Co., 18 N. Y. App. Div. (N. Y.) 185, 1809
v. Wabash, &c., R. Co., 62 Fed. 200, 1457, 1487, 1497, 1506
v. Wells-Fargo, &c., Co., 95 S. W. 723, 1548a
v. Western Car Co., 149 U. S. 95, 528, 582
v. West Jersey Co., 101 U. S. 71, 70, 340, 342, 385, 430, 434, 440, 519, 790, 1096ad
v. Whalon, 31 Barb. (N. Y.) 172, 569
Thomason v. Seaboard, &c., R., 55 S. E. 198, 1057j
Thompsen v. Diffenderfer, 1 Md. Ch. 489, 558
Thompson, In re, 57 Hun (N. Y.), 419, 970
Thompson v. Abbott, 61 Mo. 176, 329, 333, 334, 338
v. Allen County, 13 Fed. 97, 918
v. Allen County, 115 U. S. 550, 918
v. Androscoggin, &c., R. Co., 54 N. H. 545, 672, 976
v. Boston, &c., R. Co., 153 Mass. 391, 1315d, 1689l, 1697
v. Central, &c., Co., 54 Ga. 509, 1313, 1344, 1357, 1701
v. Chicago, &c., R. Co., 14 Fed. R. 564, 1283, 1288, 1304
v. Chicago, &c., R. Co., 71 Minn. 89, 1133
v. Chicago, &c., R. Co., 22 Mo. App. 321, 1512
v. Chicago, &c., R. Co., 110 Mo. 147, 1003, 1003b, 1020, 1046a
v. Citizens' St. R. Co., 152 Ind. 461, 1301a, 1310
v. Citizens' Trac., &c. Co., 181 Pa. St. 131, 1096be
v. Conway, 53 N. H. 622, 1017, 1041
v. Edward P. Allis Co., 89 Wis. 523, 1315
v. Fargo, 49 N. Y. 188, 1536, 1692
v. Flint, &c., R. Co., 57 Mich. 300, 1689c

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Thompson v. Gardner, &c., R. Co., (Mass.) 78 N. E. 854, 1096bt
v. Grand Gulf, &c., R. Co., 4 Miss. 240, 982, 1050
v. Great Northern R. Co., 70 Minn. 219, 1288a
v. Huron Lumber Co., 4 Wash. 600, 511
v. Johnston Bros. Co., 86 Wis. 576, 1378a
v. Lake Shore, &c., R. Co., 84 Mich. 281, 1796
v. Lambert, 44 Iowa, 239, 350, 351, 380, 492
v. London, &c., R. Co., 2 Nev. & Mac. 115, 1678
v. Louisville, &c., R. Co., 76 S. W. 44, 1140
v. Manhattan R. Co., 27 N. Y. Supp. 608, 1639
v. Meisser, 108 Ill. 359, 176
v. Milwaukee, &c., R. Co., 27 Wis. 93, 995
v. Missouri Pac. R. Co., 93 Mo. App. 548, 1172
v. Montana, &c., R. Co. (Mont.) 43 Pac. 496, 1314
v. Natchez, &c., R. Co., 68 Miss. 423, 264, 485, 491
v. New York, &c., R. Co., 110 N. Y. 636, 1166, 1179b
v. New York & H. R. Co., 3 Sandf. Ch. 625, 32, 55, 968
v. Northern, &c., R. Co., 8 Mont. 279, 1183
v. Pac. R. Co., 9 Wall. 579, 1665
v. Pennsylvania R. Co., 14 Atl. 897, 401
v. Pennsylvania R. Co., 45 N. J. Eq. 870, 1076
v. People, 23 Wend. (N. Y.) 537, 51
v. Perrine, 103 U. S. 806, 843
v. Perrine, 106 U. S. 589, 486, 824
v. Peru, 29 Ind. 305, 818, 821, 875
v. Phoenix Ins. Co., 136 U. S. 287, 567
v. Railroad Companies, 6 Wall. (U. S.) 134, 655a, 656
v. Reno Sav. Bank, 19 Nev. 103, 110, 175, 179, 182, 183, 186, 188, 189, 569
v. Richmond, &c., R. Co., 24 S. Car. 366, 1223
v. St. Paul, &c., R. Co., 45 Minn. 13, 1068
v. Salt Lake, &c., Co., 16 Utah, 281, 1096cd
v. Schenectady R. Co., 124 Fed. 274, 31
v. Scott, 4 Dillon (U. S.), 508, 571
v. Thompson, 4 Cush. (Mass.) 127, 1539
v. Toledo, &c., R. Co., 91 Mich. 255, 1689d
v. Tower Mfg. Co., 87 Ala. 733, 556
v. Trail, 2 Car. & P. 334, 1431
v. Truesdale, 61 Minn. 129, 302, 1597, 1598
v. San Antonio, &c., R. Co., 11 Tex. Civ. App. 145, 1706
v. Waters, 25 Mich. 214, 22, 398, 933
Thompson v. Whitewater, &c., R. Co., 132 U. S. 68, 500
v. Yazoo, &c., R. Co., 47 La. Ann. 1107, 1608, 1609
v. Yazoo, &c., R. Co., 72 Miss. 715, 1255
v. Young, 2 Ohio, 334, 232
Thompson, &c., Co. v. Capitol, &c., Co., 65 Fed. R. 341, 226
Thomson's Appeal, 89 Pa. St. 36. 307
Thomson v. Jessup, 15 Wall. 454, 770
v. Lee County, 3 Wall. (U. S.) 327, 486, 822, 824, 827
v. Pacific R. R. Co., 9 Wall. (U. S.) 579, 15, 34, 778, 779
Thomson-Houston Elec. Co. v. Capital Elec. Co., 65 Fed. 341, 484
v. Henderson, &c., Co., 116 N. Car. 112, 600
v. Simon, 20 Ore. 60, 6, 8, 1096f, 1096bm, 1096bt, 1392, 1402
Thoresen v. La Crosse, &c., R. Co., 87 Wis. 597, 1095, 1096ce
Thorington v. Gould, 59 Ala. 461, 246, 248
v. Smith, 8 Wall. 1, 1458
Thorn v. N. Y. Central R. Co., 26 N. J. Law, 121, 24, 623
Thornburg v. American, &c., Co., 141 Ind. 443, 1367, 1368
Thornburg, &c., R. Co. v. Hine, 25 Ohio St. 629, 1361
Thorndyke v. County Commissioners, 117 Mass. 566, 1034
v. Locke, 98 Mass. 340, 92
Thorne v. Travellers Ins. Co., 80 Pa. St. 15, 266
Thorne Wire Hedge Co. v. Fuller, 122 U. S. 535, 650
Thornton v. Bank of Washington, 3 Pet. (U. S.) 36, 21
v. Cleveland, &c., R. Co., 131 Ind. 492, 1666
v. Lane, 11 Ga. 459, 179
v. Marginal, &c., Railway, 123 Mass. 32, 43, 55, 56, 59, 345, 612, 613
v. Sheffield, &c., R. Co., 94 Ala. 109, 942, 949
v. Wabash Ry. Co., 81 N. Y. 462, 521, 525, 529, 532, 534
v. Washington Savings Bank, 76 Va. 432, 564
Thorogood v. Bryan, 8 C. B. 114, 115, 1114, 1174, 1178
Thorpe v. New York, &c., R. Co., 76 N. Y. 402, 1320, 1618, 1625, 1627, 1639
v. Rutland, &c., R. R. Co., 27 Vt. 140, 2, 44, 662, 668, 670b, 1082, 1096o, 1182, 1183, 1222, 1224
Thouron v. East Tenn., &c., R. Co., 38 Fed. R. 673, 651
Thrasher v. Pike County R. R. Co., 25 Ill. 340, 102, 145
Threadgill v. Pumphrey, 87 Tex. 573, 67, 71
Throckmorton v. Missouri, &c., R. Co., 14 Tex. Civ. App. 222, 1804
Through Routes, In re, 12 Int. Com. 190, 1686
Thurber v. Crump, 86 Ky. 408, 92, 98
v. Miller, 67 Fed. R. 371, 652
v. New York, &c., R. Co., 2 Int. C. C. 742, 1678a, 1684g
Thurlow v. Massachusetts, 5 How. 504, 1461

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Thurman v. Cherokee R. Co., 56 Ga. 376, 581
v. Wells, 18 Barb. 500, 1406, 1454
Thurston v. Houston, 123 Ia. 157, 1096s
v. Rosenfield, 42 Mo. 474, 555, 570
v. St. Joseph, 51 Mo. 511, 1096d
v. Union, &c., R. Co., 4 Dill. 321, 1577, 1637
Thyng v. Fitchburg, &c., R. Co., 156 Mass. 13, 1279, 1301, 1338, 1356, 1357
Thweatt v. Houston, &c., R. Co., 31 Tex. Civ. App. 227, 1591c, 1639
Tibbetts v. Knox, &c., R. Co., 62 Me. 437, 1063
v. West, &c., R. Co., 153 Ill. 147, 1096j
Tibbits v. Rock Island, &c., Co., 49 Ill. App. 567, 1419
Tibby v. Missouri, &c., R. Co., 82 Mo. 292, 1320, 1632
Tibiler v. Alford, 12 Fed. 262, 1801
Ticonderoga, &c., R. Co., In re, 101 N. Y. S. 107, 920a
Ticonic, &c., Co. v. Lang, 63 Me. 480, 117
Tide Water Canal Co. v. Archer, 9 Gill & J. (Md.) 479, 953, 988
Tidewater R. Co. v. Cowan, 56 S. E. 819, 1047
Tiedeman v. Knox, 53 Md. 612, 1248, 1429
Tiernan v. Rinker, 102 U. S. 123, 1358e, 1665
Tierney v. Minneapolis, &c., R. Co., 33 Minn. 311, 1317
v. New York, C & H. R. Co., 67 Barb. (N. Y.) 538, 1420
v. New York Central R. Co., 76 N. Y. 305, 1466, 1527
Tietze v. International, &c., R. Co., 35 Tex. Civ. App. 136, 1007, 1049b, 1049g
Tiffany v. St. John, 65 N. Y. 314, 1572
Tiffin v. McCormack, 34 Ohio St. 638, 1063
v. St. Louis, &c., R. Co., 93 S. W. 564, 1156, 1166, 1171, 1792
Tift v. Quaker City Nat. Bank, 141 Pa. St. 550, 14
v. Southern R. Co., 123 Fed. 789, 697, 706
v. Southern R. Co., 138 Fed. 753, 1391, 1467, 1560, 1561, 1675, 1678a, 1684a, 1684f, 1684o, 1688a
v. Southern R. Co., 10 I. C. C. 543, 1684c
Tigress, The, Browning & L. 38, 1539
Tilden v. Minor, 45 Vt. 196, 1426, 1428, 1429
v. Rhode Island Co. (R. I.) 63 Atl. 843, 1096bt
Tileston v. Newell, 13 Mass. 406, 256
Tillett v. Charing Cross Co., 26 Beav. 419, 422
v. Norfolk, &c., R. Co., 118 N. Car. 1031, 1583, 1635, 1782
Tilley v. Cobb, 56 Minn. 295, 655
v. St. Louis, &c., R. Co., 49 Ark. 535, 1238, 1442
v. Savannah, &c., R. Co., 5 Fed. R. 641, 676, 691, 693
Tillinghast v. Champlain, 4 R. I. 173, 563
v. Troy, &c., R. Co., 48 Hun (N. Y.), 420, 507, 508, 509, 522
Timberlake v. Shippers, &c., Co., 72 Miss. 323, 306
Timins v. Chicago, &c., R. Co., 72 Iowa, 94, 1198, 1209
Timm v. Northern, &c., R. Co., 3 Wash. Ter. 299, 1180
Timmons v. Switzer, 11 Ind. 363, 389
Timpson v. Manhattan, &c., Co., 52 Hun, 489, 1592
Tingley v. Providence, 8 R. I. 493, 1038, 1047
Tinker v. New York, &c., R. Co., 92 Hun (N. Y.), 269, 1689l
Tinkham v. Erie R. Co., 53 Barb. (N. Y.) 393, 941, 942
v. Sawyer, 153 Mass. 485, 1283
Tinsman v. Belvidere, &c., R. R. Co., 26 N. J. L. 148, 21, 997
Tio v. Vance, 11 La. 199, 1561
Tippecanoe County v. Lafayette, &c., R. Co., 50 Ind. 85, 376
Tippets v. Walker, 4 Mass. 595, 236, 237, 520
Tipton v. Locomotive Works, 103 U. S. 523, 126, 824, 886
Tirrell v. Gage, 4 Allen, 245, 1474
Tisdale v. Harris, 20 Pick. (Mass.) 9, 92
Tishacek v. Milwaukee, &c., Co., 110 Wis. 417, 1096bs
Tishmoningo Sav. Inst. v. Johnson, &c., Co., 40 So. 503, 1429a
Tisloe v. Graeter, 1 Blackf. 353, 1994
Tison v. Howard, 57 Ga. 410, 1428
v. Savannah, &c., R. Co. (Ga.) 24 S. E. 456, 1204
Tissue v. Baltimore, &c., R. Co., 112 Pa. St. 91, 1057
Titcomb v. Fitchburg R. Co., 12 Allen (Mass.), 254, 1263
v. Union Marine, &c., Co., 8 Mass. 326, 73
Titus v. Bradford, &c., R. Co., 136 Pa. St. 618, 1273, 1274, 1292, 1301a, 1309
v. Cairo, &c., Bank, 37 N. J. Law, 98, 269, 283, 285, 355
v. Great Western, &c., Co., 61 N. Y. 237, 80
v. Mabee, 25 Ill. 257, 389, 498
Titusville, &c., R. Co. v. Warren, &c., R. Co., 12 Phila. (Pa.) 642, 927, 1083, 1096cz
Tobey v. Burlington, &c., R. Co., 94 Ia. 256, 1288, 1298a
v. County of Bristol, 3 Story, 800, 1509
v. Hakes, 54 Conn. 274, 98
v. Robinson, 99 Ill. 222, 88
v. Russell, 9 R. I. 58, 184
Tobias v. Michigan Cent. R. Co. (Mich.) 61 N. W. 514, 1160, 1176
Tobie v. Commissioners of Brown Co., 20 Kan. 14, 995
Tobin v. Chester, &c., R. Co., 47 S. C. 387, 24
v. Crawford, 5 M. & W. 235, 1559
v. Hartshorn, 69 Iowa, 648, 834
v. Missouri Pac. R. Co. (Mo.) 18 S. W. 996, 1261
v. Portland, &c., R. Co., 59 Me. 183, 1256, 1578
Tobin, &c., Co. v. Fraser, 81 Tex. 407, 535
Tod v. Cleveland, &c., R. Co., 65 Fed. R. 145, 648, 653, 655
v. Kentucky Union Land Co. (C. C.) 57 Fed. R. 47, 351, 480, 481

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Tod v. Kentucky Union R. R. Co., 52 Fed. R. 241, 605, 1067, 1070, 1071
v. Wick, 36 Ohio St. 370, 1670
Todd v. Austin, 34 Conn. 78, 950, 963
v. Forty Second St. R. Co., 192 Pa. St. 587, 1096cd
v. Kankakee, &c., R. Co., 78 Ill. 530, 987
v. Missouri Pac. R. Co., 33 Mo. App. 110, 624
v. Old Colony, &c., R. Co., 3 Allen (Mass.), 18, 1606, 1633
v. Pittsburg, &c., R. Co., 19 Ohio St. 514, 947
Todd County v. St. Paul, &c., Co., 38 Minn. 163, 750
Todhunter v. Randall, 29 Ind. 275, 188
Tolchester, &c., Co. v. Steinmeier, 72 Md. 313, 214, 1265
Toledo Consol. St. R. Co. v. Fuller, 17 Ohio Cir. Ct. 562, 1096cs
v. Mammet, 20 Dec. 532, 1795
v. Toledo, &c., St. R. Co., 12 Ohio C. C. 367, 1096au
Toledo, &c., R. Co. v. Ambach 10 Ohio Cir. Ct. 490, 1649
v. Apperson, 49 Ill. 480, 1583
v. Arnold, 43 Ill. 418, 1218
v. Asbury, 84 Ill. 429, 1278, 1296
v. Bailey, 145 Ill. 159, 213
v. Barlow, 71 Ill. 640, 1204
v. Beggs, 85 Ill. 80, 577, 1587, 1604, 1606, 1610, 1634, 1644, 1696, 1697
v. Black, 88 Ill. 112, 1296, 1301
v. Baddeley, 54 Ill. 19, 1831, 1841
v. Bowler, 57 Ohio St. 38, 1649
v. Brannagan, 75 Ind. 490, 1286, 1308, 1696, 1701, 1702
v. Brooks, 81 Ill. 245, 1255, 1581, 1604, 1629, 1696
v. Chapin, 66 Ill. 504, 1193, 1194
v. Chicago, &c., R. Co., 155 Ill. 9, 937
v. Clark, 49 Ill. App. 17, 1176
v. Cohen, 44 Ind. 444, 1185
v. Cole, 50 Ill. 184, 1190
v. Conroy, 68 Ill. 560, 1585
v. Continental Trust Co., 95 Fed. 497, 480
v. Corn. 71 Ill. 493, 1224
v. Cosand, 6 Ind. App. 222, 936, 945
v. Crane, 68 Ill. 355, 1181
v. Cupp, 9 Ind. App. 244, 1195
v. Daniels, 16 Ohio St. 390, 923, 930, 954, 960, 971
v. Deacon, 63 Ill. 91, 668, 1102, 1214
v. Detroit, &c., R. Co., 62 Mich. 564, 933, 964, 1027, 1119, 1128, 1134
v. Detroit, &c., R. Co., 63 Mich. 645, 1119, 1125, 1127
v. Dunlap, 47 Mich. 456, 559, 934, 957, 998, 1010, 1028, 1440
v. East Saginaw, &c., R. Co., 72 Mich. 206, 923, 960, 961, 1028
v. Eddy, 72 Ill. 138, 1278a
v. Elliott, 76 Ill. 67, 303, 364
v. Fenstermaker, 163 Ind. 534, 1225, 1239
v. Fergusson, 42 Ill. 449, 1206
v. Fowler, 22 Ind. 316, 1082
Toledo, &c., R. Co. v. Franklin, 53 Ill. App. 632, 1198
v. Goddard, 25 Ind. 185, 1096ck, 1153
v. Grable, 88 Ill. 441, 1262
v. Grush, 67 Ill. 262, 1256, 1590, 1641
v. Hamilton, 76 Ill. 393, 1546, 1548h, 1553
v. Hamilton, 134 U. S. 296, 497, 1065, 1072
v. Hammett, 220 Ill. 9, 1850
v. Hammond, 33 Ind. 379, 1519, 1647, 1659
v. Harmon, 47 Ill. 298, 213, 1264, 1802
v. Hauck, 8 Ind. App. 367, 1248
v. Head, 62 Ill. 233, 1209
v. Hinsdale, 45 Ohio, 556, 117, 447
v. Howell, 38 Ind. 447, 1201
v. Hunter, 50 Ill. 325, 1008
v. Jacksonville, 67 Ill. 37, 663, 664, 668, 1082, 1114, 1114a
v. Jamp, 50 Ohio St. 651, 1158
v. Johnson, 49 Mich. 148, 116, 405, 1096ac
v. Johnston, 74 Ill. 83, 1218
v. Jones, 76 Ill. 311, 1158, 1166
v. Kingman, 49 Ill. App. 43, 1244
v. Lafayette, 22 Ind. 262, 750
v. Larmon, 67 Ill. 68, 688, 1221, 1224
v. Leavery, 71 Ill. 522, 1181
v. Levy, 127 Ind. 168, 1423
v. Lockhart, 71 Ill. 627, 1466, 1488, 1748
v. Loop, 139 Ind. 542, 925
v. McDonough, 53 Ind. 289, 1602
v. McGinnis, 71 Ill. 346, 1156
v. Maxfield, 72 Ill. 95, 1231, 1238, 1244
v. Miller, 76 Ill. 278, 1160
v. Milligan, 2 Ind. App. 578, 1792
v. Milligan, 52 Ind. 505, 1209
v. Moore, 77 Ill. 217, 1288
v. Morrison, 71 Ill. 616, 977, 1057f
v. Munson, 57 Mich. 42, 982, 1028, 1029, 1042
v. Muthersbaugh, 71 Ill. 572, 1231
v. Nelson, 77 Ill. 160, 1200
v. Owen, 43 Ind. 405, 621, 622, 1198
v. Parker, 49 Ill. 385, 1218
v. Parks, 163 Ind. 592, 1224
v. Pence, 68 Ill. 524, 1214
v. Pennsylvania Co., 54 Fed. R. 730, 633, 636, 1395, 1688, 1688a
v. Pennsylvania Co., 54 Fed. R. 746, 633, 810, 1292
v. Pennsylvania Co., 53 Am. & Eng. R. Cas. 293, 636
v. Pindar, 53 Ill. 447, 1224, 1225, 1238
v. Prince, 50 Ill. 26, 222, 223
v. Riley, 47 Ill. 514, 1172
v. Roberts, 71 Ill. 540, 1694, 1706
v. Rodrigues, 47 Ill. 188, 222, 223, 297, 341
v. Rumbold, 40 Ill. 143, 447
v. Siebens, 63 Ill. 217, 1181
v. Spangler, 71 Ill. 568, 1195
v. Star Flouring Mills, 146 Fed. 953, 1242
v. Stephenson, 131 Ind. 203, 714, 719
v. Stevens, 63 Ind. 337, 1212
v. Sweeney, 41 Ill. 226, 1196

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Toledo, &c., R. Co. v. Tapp, 6 Ind. App. 304, 1457, 1651, 1652, 1656, 1658
v. Thomas, 18 Ind. 215, 1184
v. Thompson, 71 Ill. 434, 1548b
v. Toledo, &c., R. Co. (Ohio) 1 Am. & Eng. R. Cas. (N. S.) 230, 922, 1084, 1096au
v. Valodin, 109 Ill. App. 132, 1244
v. Wand, 48 Ind. 476, 1226
v. Wingate, 143 Ind. 125, 1628, 1641
v. Wright, 68 Ind. 586, 1637
v. Wright, 34 Am. R. 277, 1603
v. Zapp, 6 Ind. App. 304, 1457
Tolerton, &c., Co. v. Anglo-California Bank, 112 Ia. 706, 1429a
Tollman v. Board of Com'rs of Onslow Co., 140 Fed. 89, 918a
Tolman v. Abbot, 78 Wis. 192, 1435
v. Syracuse, &c., R. Co., 98 N. Y. 198, 1158, 1166
Toluca, &c., R. Co. v. Haws, 194 Ill. 92, 1014, 1029
Tombs v. Rochester, &c., R. Co., 18 Barb. 583, 668, 1189, 1200
Tome v. King, 64 Md. 166, 584
v. Parkersburg R. R. Co., 39 Md. 36, 80
Tomkinson v. South, &c., R. Co., 56 L. T. R. 812, 374
Tomko v. Central, &c., R. Co., 37 N. Y. S. 144, 1298a, 1314
Tomlin v. Dubuque, &c., R. Co., 32 Iowa, 106, 977
v. Tonica, &c., R. Co., 23 Ill. 429 (374), 141, 142
Tomlinson v. Branch, 15 Wall. (U. S.) 460, 61, 330, 332, 335, 613, 746, 747
v. Bricklayers' Union, 87 Ind. 308, 237, 378
v. Chicago, &c., R. Co., 97 Fed. 252, 1303a, 1332
v. Derby, 43 Conn. 562, 1798
v. Jessup, 15 Wall. (U. S.) 454, 613, 746, 770
v. Southern Pacific R. Co. (Ariz.) 33 Pac. 710, 1376
v. Wilmington, &c., R. Co., 107 N. Car. 327, 1801
Tommey v. Spartanburg, &c., Co., 1 Am. & Eng. R. Cas. 632, 500
v. Spartanburg, &c., R. Co., 7 Fed. R. 429, 1072
Tompkins v. Augusta, &c., R. Co., 21 S. Car. 420, 934, 949, 1049
v. Augusta Southern R. Co., 102 Ga. 436, 332, 334
v. Clay St., &c., R. Co., 66 Cal. 163, 1096ck, 1174, 1178
v. Little Rock, &c., R. Co., 125 U. S. 109, 813
v. Little Rock, &c., R. R. Co., 15 Fed. R. 6, 497, 503
Tompson v. Huron, &c., Co., 5 Wash. 527, 584
v. Iowa, &c., Assn., 110 N. W. 997, 655a
Tomvaco v. Simpson, 19 Com. B. N. S. 453, 1572
Tonans, &c., R. Co. v. Richmond, &c., R. Co., 84 Va. 192, 1268
Tonawanda R. Co. v. Munger, 5 Denio, 255, 1188, 1204, 1209
v. New York, &c., R. Co., 42 Hun, 496, 370
Tone v. Columbus, 39 Ohio St. 281, 380
Toner v. Chicago, &c., R. Co., 69 Wis. 188, 1301, 1326
Toney v. Corless, 33 Me. 333, 1426
Tonica, &c., R. R. Co. v. McNeely, 21 Ill. 71, 102
v. Stein, 21 Ill. 96, 112, 114
Toof v. Martin, 13 Wall. (U. S.) 40, 601
Tool Co. v. Norris, 2 Wall. 45, 1663
Toole v. Delaware, &c., R. Co., 27 Pa. Super. Ct. 577, 1057g
Toomer v. London, &c., R. Co., L. R. 2 Exch. Div. 450, 683
Toomey v. Donovan, 158 Mass. 232, 1345
v. Eureka, &c., Steel Works, 89 Mich. 249, 1299
v. London, &c., R. Co., 3 Com. B. N. S. 146, 1689f, 1696, 1702
v. Southern Pac. R. Co., 86 Cal. 374, 1257
Tootle v. Clifton, 22 Ohio St. 247, 977, 1057d
v. Coleman, 107 Fed. 41, 624
Topeka v. Martin, 42 Kan. 387, 1040
Topeka Mfg. Co. v. Hale, 39 Kan. 23, 79
Topeka, &c., Co. v. Roberts, 45 Kan. 360, 757
Topeka, &c., R. Co. v. Higgs, 38 Kan. 375, 1096cm, 1096cr, 1096cz, 1402, 1587, 1630, 1637
Topham v. Interurban St. R. Co., 42 Misc. 503, 1096db
Toponce v. Corrinne Mill, C. & S. Co., 6 Utah, 439, 230
Topping Ave., In re, 187 Mo. 146, 1096bl
Torians v. Richmond, &c., R. Co., 84 Va. 192, 1289
Tornado, The, 108 U. S. 342, 1562
Toronto v. Toronto, &c., R. Co., 15 Ont. App. 30, 36 Am. & Eng. Cas. 44, 1082, 1096ag
Toronto, &c., Trust Co. v. Chicago, &c., R. Co., 123 N. Y. 37, 555
v. Dollery, 12 Ont. App. 679, 1093, 1096ar
Torrance v. Amsden, 3 McLean, 509, 1059
Torrence v. Shedd, 144 U. S. 527, 650, 650a
Torrey v. Camden, &c., R. Co., 18 N. J. Eq. 293, 1025
Torry v. Beardsy, 4 Wash. (U. S. C. C.) 242, 646
Tortat v. Harden Min. & Mfg. Co., 111 Fed. 426, 656a
Totten v. Tison, 54 Ga. 139, 81, 83, 86
Tottendell v. Fareham, &c., Co., L. R. 1 C. P. 674, 269
Tousey v. Bell, 23 Ind. 423, 637
Touteng v. Hubbard, 3 Bosanquet & P. 291, 1473, 1538a
Towanda Bridge Co., In re, 91 Pa. St. 216, 953, 967
Towanda, &c., Co. v. Heeman, 86 Pa. St. 418, 214, 221, 1255
Tower v. Providence, &c., Co., 2 R. I. 404, 1180, 1188, 1209
v. Utica, &c., R. Co., 7 Hill (N. Y.), 47, 1403, 1654
Towle v. American, &c., Society, 60 Fed. R. 131, 550
v. Wilder, 57 Vt. 622, 624

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Town v. Bank, 2 Doug. (Mich.) 530, 602, 608
v. Michigan, &c., R. Co., 84 Mich. 214, 1297
Town Council v. Elliott, 5 Ohio St. 113, 92, 424
Town Council of Johnston v. Providence, &c., R. Co., 10 R. I. 365, 1096
Townes v. Nichols, 73 Me. 515, 98
Townley v. Chicago, &c., R. Co., 53 Wis. 626, 1255, 1257, 1261
Towns v. Cheshire R. Co., 21 N. H. 363, 1190, 1195, 1198
v. Vicksburg, &c., Ry. Co., 37 La. Ann. 630, 1316
Townsend v. Briggs, 32 Pac. 307, 1788
v. Briggs, 99 Cal. 481, 1699
v. Chicago, &c., R. Co., 91 Ill. 545, 1028, 1046a
v. McIver, 2 S. Car. 25, 98
v. Michigan Cent. R. Co., 101 Fed. 757, 931
v. New York, &c., R. Co., 56 N. Y. 295, 200, 200a, 1594, 1602, 1637
v. Texas, &c., R. Co., 88 S. W. 302, 1712
Township Board v. Hackmann, 48 Mo. 243, 952
Tozer v. United States, 52 Fed. R. 917, 1682
Tracy v. Chicago, &c., R. Co., 80 Mo. App. 389, 1551a
v. Elizabethtown, &c., R. Co., 80 Ky. 259, 954, 970, 973, 1010, 1019, 1044
v. Elizabethtown, &c., R. Co., 78 Ky. 309, 1010, 1053
v. New York, &c., R. Co., 38 N. Y. 433, 1195
v. New York, &c., R. Co., 9 Bos. (N. Y.) 396, 1280
v. Pullman, &c., 67 How. Pr. 154, 1622, 1623
v. Talmage, 14 N. Y. 162, 351
v. Troy, &c., R. Co., 38 N. Y. 433, 4, 1191, 1193, 1194, 1198, 1208
v. Wood, 3 Mason (U. S. C. C.) 132, 1389
Trade Auxiliary Co. v. Vickers, L. R. 16 Eq. Cas. 303, 547
Trade-Mark Cases, 100 U. S. 82, 1358e
Trader v. Jarvis, 23 W. Va. 100, 492
Traders, &c., Un. Co. v. Philadelphia, &c., R. Co., 1 Int. Com. Rep. 371, 684
Tradesman, &c., Co. v. Knoxville, &c., R. Co., 95 Tenn. 634, 76
Traer v. Clews, 115 U. S. 528, 490
v. Stuart, 46 Iowa, 15, 120
Trafford v. Adams Express Co., 8 Lea, 96, 1367
v. Boehm, 3 Atk. 440 (1746), 94
v. Boston Disinfecting Co., 144 Mass. 523, 1670
Trammell v. Clyde, &c., Co., 5 Interst. Com. Com. 376. 1684
v. Clyde, &c., Co., 4 Interst. Com. 120, 1682, 1686
v. Mount, 68 Tex. 210, 1068
Tramway Co., In re, 5 Ch. D. 963, 243
Transcontinental Lines, Re Tariffs of, 2 Interst. Com. 203. 1683
Transfer Co. v. Kelly, 36 Ohio St. 86, 1174, 1178, 1635
Transit Co. v. Dash, 125 N. Y. 93, 1096bt
Transportation Co. v. Chicago, 99 U. S. 635, 976, 980, 1057
v. Downer, 11 Wall. (U. S.) 129, 1516, 1534, 1584, 1644
v. Elizabeth, 37 N. J. L. 330, 786
v. Harper, 118 Ga. 672, 1584
v. Scheu, 19 N. Y. 408, 623
v. Wheeling, 99 U. S. 273, 756
Transportation of Fruit, In re, 10 I. C. C. 360, 684, 1684l
Transportation of Immigrants, In re, 10 I. C. C. 13, 1675
Transylvania University v. Lexington, 3 B. Mon. (Ky.) 25, 1085
Trapnell v. City of Red Oak Junction, 76 Iowa, 744, 1299, 1310
Trask v. California R. Co., 63 Cal. 96, 1288
v. Hartford, &c., R. Co., 16 Gray, 71, 1223
v. Jacksonville, &c., R. R. Co., 124 U. S. 515, 488
v. Maguire, 18 Wall. (U. S.) 391, 525, 532
v. Old Colony R. Co., 156 Mass. 298, 1338
Traut v. New York, &c., R. Co., 22 W. N. C. 540, 1040
Travelers Ins. Co. v. Connecticut, 185 U. S. 364, 772a
v. Harris, 89 Ind. 363, 466
Traver v. Eighth Ave. R. Co., 4 Abb. (N. Y.) 422, 1822
v. Kansas Pac. R. Co., 63 Mo. 421, 1689h, 1802
v. Spokane St. R. Co., 25 Wash. 225, 1096cl, 1689i, 1796
Traverse City, &c., R. Co. v. Seymour, 81 Mich. 378, 629, 957, 1054
Traverse Co. v. St. Paul, &c., R. Co., 73 Minn. 417, 748
Travis v. Thompson, 37 Barb. (N. Y.) 236, 1570
Trayser v. Trustees, 39 Ind. 556, 512
Traywick v. Southern R. Co., 71 S. Car. 82, 1731
Treadway v. Schnauber, 1 Dak. 236, 867, 894, 900
Treadwell v. Salisbury, &c., Co., 7 Gray, 393, 251, 608, 612
v. Whittier, 80 Cal. 574, 1588, 1773
Treat v. Boston, &c., R. Co., 131 Mass. 371, 1630a, 1639
Trebilcock v. Wilson, 12 Wall. (U. S.) 687, 487
Tredway v. Sioux City, &c., R. Co., 43 Ia. 527, 1213
Tregar v. Etiwanda Water Co., 76 Cal. 537, 79
Treleven v. Northern, &c., R. Co., 89 Wis. 598, 1462, 1535
Trenor v. Central Pacific R. Co., 50 Cal. 22, 222
Trent Navigation v. Wood, 3 Esp. 127, 1455
v. Wood, 4 Dougl. 287, 1458, 1481
Trenton v. Pothen, 46 Minn. 298, 226
v. Trenton, &c., R. Co. (N. J.) 27 Atl. 483, 1082

Digitized by Google

[References are to Sections—Vol. I, §§ 1–656a; Vol. II, §§ 657–1075; Vol. III, §§ 1076–1390; Vol. IV, §§ 1391–1851.]

Trenton v. Trenton St. R. Co. (N. J.) 63 Atl. 1, 1096ai, 1096ak, 1096bf
Trenton Banking Co. v. Woodruff, 2 N. J. L. 117, 225
Trenton Mut. Life Ins. Co. v. Perrine, 23 N. J. L. 402, 615
Trenton Passenger R. Co. v. Cooper, 60 N. J. L. 219, 1689l, 1778
Trenton St. R. Co., In re, 47 Atl. 819, 329, 956
Trenton Water Power Co., In re, 20 N. J. L. 659, 1096ai
Trenton Water Works Co. cases 6 Pa. Law J. 32, 1096ag
Trenton, &c., Co. v. Cooper, 60 N. J. L. 219, 1096cm
Trephagen v. South Omaha, 69 Neb. 577, 296
Trester v. Missouri Pac. Ry. Co., 33 Neb. 171, 28, 36, 326, 329, 339, 956, 1028
v. Missouri Pac. Ry. Co., 23 Neb. 242, 956
Trevor v. Whitworth, L. R. 12 App. C. 409, 95
Trexler v. Baltimore, &c., R. Co., 28 Pa. Super. Ct. 198, 1550
Trezona v. Chicago, &c., R. Co., 107 Ia. 22, 1594a
Tribbette v. Illinois Cent. R. Co., 70 Miss. 182, 632, 1228
v. Illinois, &c., R. Co., 71 Miss. 212, 1796
Trickley v. Schlader, 52 Ill. 78, 937
Tri-City R. Co. v. Gould, 217 Ill. 317, 1585, 1831
Trigg v. St. Louis, &c., R. Co., 74 Mo. 147, 1817
Trimble v. Railroad, 162 N. Y. 84, 1649, 1650, 1660
Trimmer v. Pennsylvania, &c., R. Co., 55 N. J. L. 46, 984, 998
Trinity, &c., R. Co. v. Lane, 79 Tex. 643, 472
v. Mitchell, 72 Tex. 609, 1357
v. O'Brien, 18 Tex. Civ. App. 690, 1639, 1804
Triphogen v. Erie R. Co., 64 Atl. 1072, 1628b
Tripp v. Chard Ry. Co., 11 Hare, 264, 563
v. Northwestern Nat. Bank, 41 Minn. 400, 602
v. Overocker, 7 Colo. 72, 983
v. Swanzey Paper Co., 13 Pick. 291, 491
Trippe v. Fiske, 4 Colo. 24, 1376
v. Huncheon, 82 Ind. 307, 180
Trisconi v. Winship, 43 La. Ann. 45, 93, 241, 608
Trist v. Child, 21 Wall. 441, 1663
Trogden v. Winona, &c., R. Co., 22 Minn. 198, 1053
Trotier v. St. Louis, &c., R. Co., 180 Ill. 471, 1040a
Trotlinger v. East Tennessee, &c., R. Co., 11 Lea (Tenn.), 533, 1593, 1598
Trott v. Chicago, &c., R. Co., 115 Ia. 80, 1812
v. Sarchett, 10 Ohio St. 241, 116
Trottier v. Red River, &c., Co., Manitoba (T. Wood), 255, 1569
Trout v. Virginia, &c., R. Co., 23 Gratt. (Va.) 619, 1180, 1198, 1209
Trow v. Vermont, &c., R. Co., 24 Vt. 487, 1181, 1585
Trowbridge v. Brookline, 144 Mass. 139, 977
v. Chapin, 23 Conn. 595, 1406, 1407, 1409, 1462
v. Scudder, 11 Cush. (Mass.) 83, 190
Troxler v. Richmond, &c., R. Co., 74 N. Car. 377, 1226, 1231
Troy v. Cape Fear, &c., R. Co., 99 N. Car. 298, 1250, 1257
v. Cheshire R. Co., 23 N. H. 83, 1048, 1049b
Troy Board v. Alabama, &c., R. Co., 6 I. C. C. 1, 1687
Troy, &c., R. Co. v. Boston, &c., R. Co., 86 N. Y. 107, 430, 434, 493
v. Cleveland, 6 How. (N. Y.) Pr. 238, 1017, 1025
v. Kane, 9 Hun (N. Y.), 506, 786, 787a
v. Kerr, 17 Barb. (N. Y.) 581, 42, 45, 108, 488, 606
v. Lee, 13 Barb. (N. Y.) 169, 955, 1037, 1039, 1042
v. Newton, 74 Mass. 596, 111, 111a
v. Northern Turnp. Co., 16 Barb. (N. Y.) 100, 994, 1037, 1038, 1039, 1041, 1053
v. Potter, 54 Mo. 334, 1042
v. Potter, 42 Vt. 265, 913
v. Tibbits, 18 Barb. (N. Y.) 297, 86, 103, 155, 111, 316
Truax v. Chicago, &c., R. Co., 83 Wis. 547, 1151
v. Philadelphia, &c., R. Co., 3 Houst. (Del.) 233, 1403
Truckee, &c., Co. v. Campbell, 44 Cal. 89, 405
Trudell v. Grand Trunk R. Co., 126 Mich. 73, 1257, 1259, 1260, 1261
True v. Niagara Gorge R. Co., 70 App. Div. (N. Y.) 383, 1315g, 1315h
Truesdale v. Peoria, &c., Co., 101 Ill. 561, 1096
Truex v. Erie, &c., R. Co., 4 Lans. 198, 1573
Truman v. London, &c., R. Co., L. R. 25 Ch. Div. 423, 1056a
v. Rudolph, 22 Ont. App. 250, 1292, 1296
Trumbo v. City St. Car Co., 89 Va. 780, 1096ce, 1096cl, 1261
Trumbull v. Donahue, 18 Colo. App. 460, 1630a
v. Erickson, 97 Fed. 891, 1630a
Trunick v. Smith, 63 Pa. St. 18, 4, 33
Truntle v. North Star, &c., Co., 57 Minn. 52, 1283
Trust Co. of Georgia v. State, 109 Ga. 736, 337
Trustees, In re, 31 N. Y. 574, 771
Trustees v. Atlanta, 93 Ga. 468, 968
v. Auburn, &c., R. Co., 3 Hill (N. Y.), 567, 1049, 1113
v. Bailey, 10 Fla. 238, 666, 840
v. Chicago, 12 Ill. 403, 786
v. Connolly, 157 Mass. 272, 615
v. Cowen, 4 Paige, 510, 361
v. Flint, 13 Metc. 539, 147, 190
v. Garvey, 80 Ky. 159, 872
v. Greenough, 105 U. S. 527, 518, 566, 585, 587
v. Haas, 42 Ohio St. 239, 962, 1007
v. Heise, 44 Md. 453, 1075
v. Hills, 6 Cow. 23, 246
v. Milwaukee, &c., Co., 77 Wis. 158, 1076, 1087, 1113
v. People, 63 Ill. 299, 847
v. Salmond, 11 Me. 109, 964

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Trustees v. Waples, 3 Woods (U. S.), 34, 147
Tschumi v. Hills, 6 Kan. App. 549, 87
Tubelowish v. Lathrop, 104 Ill. App. 82, 1689g
Tuchband v. Chicago, &c., R. Co., 115 N. Y. 437, 621, 621a
Tuchochi v. Cincinnati St. R. Co., 7 Ohio Dec. 219, 1689c
Tuck v. Louisville, &c., R. Co., 98 Ala. 150, 1349
Tuckahoe C. Co. v. Tuckahoe, &c., R. Co., 11 Leigh, 42, 32, 922, 968, 974, 1050, 1057
Tucker v. Aiken, 7 N. H. 113, 244
v. Baltimore, &c., R. Co., 59 Fed. R. 968, 1257, 1258
v. Boston, &c., R. Co., 73 N. H. 132, 1155, 1793
v. Buffalo, &c., Mills, 57 S. E. 626, 1820
v. Chaplin, 2 C. & K. 730, 1373
v. Chicago, &c., R. Co., 91 Wis. 576, 1000a, 1029
v. Cracklin, 2 Stark. 339, 1535
v. Draper, 62 Neb. 66, 1262
v. Duncan, 9 Fed. R. 867, 1163, 1167
v. Erie, &c., R. Co., 27 Pa. St. 281, 1004
v. Ferguson, 22 Wall. 527, 489
v. Gilman, 121 N. Y. 189, 178
v. Henniker, 41 N. H. 317, 1704
v. Howard, 128 Mass. 361, 636
v. Hyatt, 151 Ind. 332, 1828
v. Massachusetts Cent. R. Co., 116 Mass. 124, 1053
v. Massachusetts, &c., R. Co., 118 Mass. 546, 993, 1037, 1038
v. New Hampshire Sav. Bank, 58 N. H. 83, 882
v. New York Central, &c., R. Co., 124 N. Y. 308, 1172, 1261
v. Pacific R. Co., 50 Mo. 385, 1555
v. Paris, 99 S. W. 1127, 1017
v. St. Louis, &c., R. Co., 59 Ark. 81, 1070
v. St. Louis, &c., R. Co., 54 Mo. 177, 222
v. Sellers, 130 Ind. 514, 865
v. State, 72 Ind. 242, 94
Tuckerman v. Brown, 33 N. Y. 287, 176
v. Stephens, &c., Co., 82 N. J. L. 320, 1481
Tudon v. Macomber, 14 Pick. (Mass.) 34, 1421
Tudor v. Chicago, &c., R. Co., 154 Ill. 129, 954, 1077, 1081, 1096i, 1096aa
Tudor Iron Works v. Weber, 31 Ill. App. 306, 1700
Tuebner v. California St. Ry. Co., 66 Cal. 171, 9
Tuff v. Warman, 5 C. B. N. S. 573, 1175, 1313
Tufts v. Charlestown, 4 Gray (Mass.), 537, 995
Tulare, &c., Dist. v. Kaweah, &c., Co. (Cal.) 44 Pac. R. 662, 87
Tuley v. Chicago, &c., R. Co., 41 Mo. App. 432, 1609, 1632
Tulford v. Lehigh Valley R. Co., 39 Atl. 1115, 1271a
Tulk v. Moxhay, 2 Phila. Ch. 774, 360, 946
Tulleys v. Keller, 45 Neb. 220, 345
Tullis v. Hassell, 54 N. Y. Super. Ct. 391, 1280
v. Lake Erie, &c., R. Co., 175 U. S. 348, 1335
v. Lake Erie, &c., R. Co., 105 Fed. 554, 1282
Tunis v. Hestonville, &c., R. Co., 149 Pa. St. 70, 156, 162
Tunison v. Weadock, 130 Mich. 141, 1096ch
Tunnel v. Pettijohn, 2 Harr. (Del.) 48, 1466
Tupp v. Swansey, &c., Co., 3 Pick, 291, 257
Tuberville v. Stampe, 1 Ld. Raym. 264, 1221
Turgeau v. Brady, 24 La. Ann. 348, 556
Turley v. Boston, &c., R. Co., 70 N. H. 348, 1265
Turman v. Bell, 54 Ark. 273, 1064
Turnbull v. Payson, 95 U. S. 418, 108, 157
v. Prentiss Lumber Co., 55 Mich. 387, 183, 548, 556, 55
Turner v. Althaus, 6 Neb. 54, 677, 736
v. Boston, &c., R. Co., 158 Mass. 261, 1248, 1272a, 1826
v. Commissioners, 27 Kan. 314, 831
v. Cross, 83 Tex. 218, 577, 709, 1339, 1341
v. Detroit, &c., R. Co., 139 Mich. 142, 1274
v. Grangers, &c., Co., 65 Ga. 649, 132, 176, 181
v. Great Northern R. Co., 15 Wash. 213, 1453, 1814
v. Haar, 114 Mo. 347, 1644
v. Hannibal, &c., R. Co., 74 Mo. 602, 581
v. Indianapolis, &c., R. Co., 8 Biss. (U. S.) 380, 515, 529, 530
v. Indianapolis, &c., R. R. Co., 8 Biss. (U. S.) 315, 528
v. Kansas City, &c., R. Co., 78 Mo. 578, 1206
v. London & South Western, &c., R. Co., L. R. 17 Eq. 561, 668
v. Norfolk, &c., R. Co. (W. Va.) 22 S. E. 83, 1283
v. North Beach, &c., R. Co., 34 Cal. 594, 1802
v. Peoria, &c., R. Co., 95 Ill. 134, 588, 590, 591, 592, 594, 596, 597
v. St. Clair, &c., Co., 121 Mich. 616, 1339
v. St. Louis, &c., R. Co., 76 Mo. 261, 1212
v. St. Louis, &c., R. Co., 20 Mo. App. 632, 1423, 1437
v. Sheffield, &c., R. Co., 10 Mees. & W. 425, 978, 1005
v. Southern R. Co., 54 S. E. 825, 1660
v. Union Pac. R. Co., 112 Mo. 542, 948
v. Vicksburg, &c., R. Co., 37 La. Ann. 648, 1590, 1641
v. Watkins, 31 Ark. 429, 501
Turney v. Southern Pac. R. Co., 44 Ore. 280, 1851
v. Wilson, 7 Yerg. 340, 1692
Turnpike Co. v. Davidson County, 106 Tenn. 258, 1108

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Turnpike Co. v. Illinois, 96 U. S. 63, 39, 75, 433, 1077, 1096l, 1096n
v. State, 3 Wall. (U. S.) 210, 32, 968, 1670
Turpin v. Lemon, 187 U. S. 51, 772a
Turquand v. Marshall, L. R. 4 Ch. 376, 380
Turrell v. Norman, 19 Barb. (N. Y.) 263, 1055
Tuscaloosa, &c., Assn. v. Green, 48 Ala. 346, 609
Tusher v. Railroad Co., 11 Misc. (N. Y.) 366, 1474
Tustchell v. Grand Trunk, &c., R. Co., 39 Fed. R. 419, 1267
Tuteur v. Chicago, &c., R. Co., 77 Wis. 505, 1378
Tutt v. Illinois Cent. R. Co., 104 Fed. 741, 1249
v. Port Royal, &c., R. Co., 20 S. Car. 110, 934
v. Port Royal, &c., R. Co., 16 S. Car. 365, 934
Tuttle v. Chicago, &c., R. Co., 42 Ia. 518, 1822
v. Chicago, &c., R. Co., 61 Minn. 190, 797
v. Detroit, &c., R. Co., 122 U. S. 189, 1269, 1271a, 1272, 1288, 1295
v. Farmingham, 58 N. H. 13, 1804
v. George A. Tuttle Co. (Me.) 64 Atl. 496, 13a, 14
v. Howe, 14 Minn. 145, 1073
v. Michigan Air Line Co., 35 Mich. 247, 163, 164, 165, 328
v. Northern Pacific, &c., R. Co., 1 Interst. Com. R. 483, 1612
Tuttle v. Railway Co., 26 Ky. L. 152, 1637
v. Walton, 1 Ga. 43, 99
Tutwiler v. Tuscaloosa Coal, I. & L. Co., 89 Ala. 391, 169
Tweedy v. Bogart, 56 Conn. 419, 626
Twelfth St. Market Co. v. Philadelphia, &c., R. Co., 142 Pa. St. 580, 55, 952a
Twells v. Pennsylvania R. Co., 3 Am. Law Reg. (N. S.) 728, 1564, 1678
Twin Creek, &c., Co. v. Lancaster, 79 Ky. 552, 102, 189
Twin Lakes, &c., Min. Co. v. Colorado, &c., R. Co., 16 Colo. 1, 994
Twin-Lick, &c., Co. v. Marbury, 91 U. S. 587, 275, 276, 440, 529, 535, 604
Twist v. Winona, &c., Railroad Co., 39 Minn. 164, 1172, 1261
Twombly v. Chicago, &c., R. Co., 31 S. W. 81, 1047
v. Madbury, 27 N. H. 433, 1053
Twomley v. Central Park, &c., R. Co., 69 N. Y. 158, 1635, 1787
Twycross v. Grant, L. R. 2 C. P. Div. 469, 10
Twyford v. Wareup, Cases Temp. Finch, 310, 421
Tygard v. Western Md. R. Co., 24 Md. 563, 121
Tygert Co. v. The Charles P. Sinnickson, 24 Fed. R. 304, 1516
Tyler, In re, 149 U. S. 164, 555, 565, 573, 575, 751
Tyler v. Beacher, 44 Vt. 648, 952
v. Chichester, &c., Co., L. R. 2 Exch. 256, 368
v. Elizabethtown, &c., R. Co., 9 Bush (Ky.), 510, 826, 923
Tyler v. Hudson, 147 Mass. 609, 970
v. New York, &c., R. Co., 137 Mass. 238, 1163
v. Ricamore, 87 Va. 466, 1231
v. St. Joseph, &c., R. Co., 43 Kan. 543, 671a
v. St. Louis, &c., R. Co., 87 S. W. 238, 942
v. St. Louis, &c., R. Co., 91 S. W. 1, 930, 936
v. Savage, 143 U. S. 79, 127, 231, 282
v. Sites, 88 Va. 470, 1172
v. Texas, &c., R. Co., 79 S. W. 1075, 1845
v. Third Ave. R. Co., 18 Misc. (N. Y.) 167, 1773
v. Trustees, 14 Ore. 485, 352
v. Western U. Tel. Co., 54 Fed. R. 634, 711
v. Yreka, &c., Co., 14 Cal. 212, 509
Tyler R. Co. v. Driscol, 52 Tex. 13, 1066
Tyndale v. Old Colony R. Co., 156 Mass. 503, 1357, 1711
Tyrell v. Cairo, &c., R. R. Co., 7 Mo. App. 294, 484
Tyrell v. Eastern R. Co., 111 Mass. 546, 1589
Tyroler v. Warden, 157 N. Y. 116, 728
Tysen v. Wabash R. R. Co., 8 Biss. 247, 540, 545, 546, 549
v. Wabash, &c., R. Co., 15 Fed. R. 763, 336
Tyson v. Keokuk, &c., R. Co., 43 Iowa, 207, 1189, 1193
v. South, &c., R. Co., 61 Ala. 554, 1284
Tyson's Reef Co., In re, 3 W. W. & A'B. (Vict. Sup. Ct.) Cas. at Law, 162, 485
Tyrus v. Kansas City, &c., R. Co., 114 Tenn. 579, 1057g

U

Udell v. Citizens St. R. Co., 152 Ind. 507, 1096cs, 1255
v. Illinois, &c., R. Co., 13 Mo. App. 254, 1474
Uggla v. West End St. R. Co., 160 Mass. 351, 1096cb, 1096cd
Uhl v. Ohio River R. Co., 56 W. Va. 494, 1057f
v. Ohio River R. Co., 51 W. Va. 106, 5, 938
Uline v. New York Central, &c., R. Co., 101 N. Y. 98, 718, 1113
Ulman v. Mayor of Baltimore, 72 Md. 587, 1019
Ulmer v. Lime Rock R. Co., 98 Me. 579, 15, 21, 923, 952a, 955, 960, 961
Ullman v. Chicago, &c., R. Co., 112 Wis. 150, 1510
v. Hannibal, &c., R. Co., 67 Mo. 118, 1063, 1065
Ulric v. Lake Shore, &c., R. Co., 9 I. C. C. 495, 1682
Ulrich v. New York, &c., R. Co., 108 N. Y. 80, 364, 1498, 1608, 1620
v. People, 39 Mich. 245, 1700
Ullrich v. Cleveland, &c., R. Co., 151 Ind. 358, 1257
Umsted v. Buskirk, 17 Ohio St. 113, 182, 183, 187
Underbilling, In re, I Int. Com. 813, 1684c

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Underhill v. Santa Barbara, &c., Co., 93 Cal. 300, 346
v. Saratoga R. Co., 20 Barb. 456, 940, 941, 942
Underwood v. New York, &c., R. Co., 17 How. Prac. 537, 321, 634
v. Western, &c., R. Co., 105 Ga. 48, 1763
Underzook's Case, 76 Pa. St. 340, 1703
Unfried v. Baltimore, &c., R. Co., 34 W. Va. 260, 1298a, 1357
Unger v. Forty-second St. R. Co., 51 N. Y. 497, 1094, 1096cb, 1096cg
Uniacke v. Chicago, &c., R. Co., 67 Wis. 108, 1037
Union Bank v. Board of Commissioners, 116 N. Car. 339, 823, 851
v. Clossey, 10 Johns. (N. Y.) 271, 233
v. Ellicott, 6 G. & J. 363, 251
v. Forstall, 11 La. 211, 232
v. Jolly, 18 How. (U. S.) 503, 1371
v. Jones, 4 La. Ann. 236, 275
v. Kansas City Bank, 136 U. S. 223, 563
v. Laird, 2 Wheat. (U. S.) 390, 100
v. Marin, 3 La. Ann. 34, 516
v. Owen, 4 Humph. (Tenn.) 338, 173
v. Ridgely, 1 Harris & G. (Md.) 324, 194, 195
Union Biscuit Co. v. St. Louis, &c., Co., 108 Mo. App. 297, 1096ch
Union Bridge Co. v. Troy, &c., Co., 7 Lans. 240, 463
Union Canal Co. v. Loyd, 4 Watts & S. (Pa.) 393, 171, 226
v. Woodside, 11 Pa. St. 176, 1007
Union Cattle Co. v. International Trust Co., 149 Mass. 492, 484
Union Cement Co. v. Noble, 15 Fed. R. 502, 873
Union Central Life Ins. Co. v. Chouring, 86 Tex. 654, 21
v. Frederick, 117 Mo. 138, 938, 1023, 1028, 1046a
v. Morton, 83 Mich. 265, 1, 952
Union Depot, &c., Co. v. Brunswick, 31 Minn. 297, 977, 994, 995
v. Chicago, &c., Co., 113 Mo. 213, 1, 1453
v. Southern R. Co., 105 Mo. 562, 1096f, 1096l, 1096p, 1096au
Union El. Ry. Co., In re, 113 N. Y. 275, 923
Union Elec. R. Co. v. Shelton, 89 Tenn. 423, 1096cc
Union Elevator Co. v. Kansas City, &c., R. Co., 135 Mo. 353, 1038
Union Ex. Co. v. Graham, 26 Ohio St. 595, 1466, 1497, 1718
v. Shoop, 85 Pa. St. 325, 1451
Union Ferry Co., Matter of, 98 N. Y. 139, 953, 968
Union Freight Co. v. Winkley, 159 Mass. 133, 1559, 1709
Union Gold Min. Co. v. Rocky Mountain Nat. Bank, 96 U. S. 640, 596
Union Hebrews Assn. v. Benshimol, 130 Mass. 325, 61
Union Hotel Co. v. Hersee, 79 N. Y. 454, 801
Union Imp. Co. v. Commonwealth, 69 Pa. St. 140, 60
Union Ins. Co. v. Frear, &c., Co., 97 Ill. 537, 176
Union Loan & Trust Co. v. Southern &c., R. Co., 51 Fed. 840, 31
Union Mut. F. Ins. Co. v. Keyser, 32 N. H. 313, 218, 250
v. Union Mills, &c., Co., 37 Fed. R. 286, 540, 558
Union National Bank v. Mathews, 98 U. S. 629, 381
Union Pac. R. Co. v. Adams, 33 Kan. 427, 1170
v. Anderson, 11 Colo. 293, 40
v. Arthur, 2 Colo. App. 159, 1223, 1238
v. Artist, 60 Fed. R. 365, 222, 1377, 1388, 1398
v. Beatty, 35 Kan. 265, 222, 224, 229
v. Botsford, 141 U. S. 250, 1699
v. Brown, 84 Pac. 1026, 1589a
v. Bullis, 6 Colo. App. 64, 1214
v. Burlington, &c., R. Co., 3 Fed. R. 106, 965
v. Burlington, &c., R. Co., 1 McCrary (U. S.), 452, 922, 965, 966, 975
v. Callaghan, 6 C. C. A. 205, 1333b
v. Cappler 66 Kan. 649, 1253, 1257
v. Chicago, &c., R. Co., 163 U. S. 564, 42, 62, 257, 347, 359, 380, 455
v. Chicago, &c., Ry. Co., 51 Fed. R. 309, 62, 164, 358, 448, 451, 456, 1077, 1096l
v. Clark, 51 Neb. 220, 1315f
v. Colorado Postal Tel. Cable Co., 30 Colo. 133, 952, 952a, 957, 972, 975c, 977a, 1030a, 1030b
v. Connolly, 109 N. W. 368, 1154, 1252
v. Cooke (Dist. Ct. of Arapahoe Co. Apr., 1892), 1567
v. Credit Mobilier, 135 Mass. 367, 276, 1058
v. Daniels, 152 U. S. 684, 1271, 1273, 1276, 1288
v. Davidson (Colo.), 39 Pac. R. 1095, 1071
v. DeBusk, 12 Colo. 294, 665, 1221, 1223, 1243
v. Douglas County, 31 Fed. R. 540, 795
v. Doyle, 50 Neb. 555, 1329
v. Dunden, 37 Kan. 1, 1261, 1372
v. Durant, 1 Cent. L. J. 581, 276
v. Durant, 3 Dill. (U. S. C. C.) 341, 928
v. Dyche, 31 Kan. 120, 977
v. Dyche, 28 Kan. 200, 1195
v. Estes, 37 Kan. 715, 1303
v. Foley, 19 Colo. 280, 1085, 1090, 1096
v. Fort, 17 Wall. 553, 1283, 1288
v. Geary, 52 Kan. 308, 1332
v. Gilland (Wyo.), 34 Pac. R. 953, 1226
v. Goodridge, 149 U. S. 680, 1468, 1565, 1677, 1684f
v. Hall, 91 U. S. 343, 458, 638, 643, 698, 699, 966, 1678, 1690
v. Hammerlund, 70 Kan. 888, 1807
v. Hand, 7 Kan. 380, 1788
v. Harris, 28 Kan. 206, 1197, 1198, 1199, 1214
v. Harris, 158 U. S. 326, 1589
v. Hepner, 3 Colo. App. 313, 217, 1413

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Union Pac. R. Co. v. Hutchinson, 39 Kan. 485, 1164
v. Johnson, 45 Neb. 57, 1523
v. Jones, 9 Colo .379, 1243
v. Jones, 21 Colo. 340, 1822
v. Kelly, 4 Colo. App. 325, 1320
v. Keller, 36 Neb. 189, 1242, 1243
v. Knowlton, 43 Neb. 751, 1194
v. Leavenworth, &c., R. Co., 29 Fed. R. 728, 1010, 1019
v. Lincoln County, 3 Dill. (U. S.) 300, 634, 903
v. Lincoln County, 1 Dill. (U. S.) 314, 15
v. McAlpine, 129 U. S. 305, 332, 333
v. McComb, 1 Fed. R. 799, 652
v. McDonald, 152 U. S. 262, 1179, 1190, 1259, 1260, 1261, 1263
v. Marston, 30 Neb. 241, 1502
v. Mason City, &c., R. Co., 199 U. S. 160, 525a
v. Mason City, &c., R. Co., 128 Fed. 230, 923
v. Mertes, 35 Neb. 204, 1257
v. Motzner (Kan.), 43 Pac. 785, 1224
v. Moyer, 40 Kan. 184, 1533
v. Murphy, 107 N. W. 757, 1239
v. Myers, 115 U. S. 1, 646
v. Nichols, 8 Kan. 505, 1578, 1645
v. O'Brien, 161 U. S. 451, 1268, 1269, 1271, 1273, 1288a, 1301a
v. O'Brien, 49 Fed. R. 538, 1269, 1273, 1297
v. Peniston, 18 Wall. 5, 736
v. Pillsbury, 29 Kan. 652, 621
v. Porter, 38 Neb. 226, 668
v. Rainy, 19 Colo. 225, 1497, 1545, 1551
v. Rassmussen, 25 Neb. 810, 1115, 1204, 1214
v. Ray, 46 Neb. 750, 1239
v. Roeser, 69 Neb. 621, 1633
v. Ruzicka, 65 Neb. 621, 1167
v. Shook, 3 Kan. App. 710, 1799
v. Springsteen, 41 Kan. 724, 1267, 1314, 1315f
v. Sternberg, 13 Colo. 141, 1215
v. Sue, 25 Neb. 772, 1590, 1641, 1831
v. Tracy, 19 Colo. 331, 1223
v. United States, 99 U. S. 402, 83, 1684c, 1684e
v. United States, 104 U. S. 662, 812
v. United States, 117 U. S. 355, 1467, 1468, 1676
v. Williams, 3 Colo. App. 526, 1728
v. Winterbotham, 52 Kan. 433, 299, 1389, 1689h
v. Young, 8 Kan. 658, 1768
Union Refrigerator Transit Co. v. Kentucky, 199 U. S. 194, 755
v. Lynch, 177 U. S. 149, 755
Union R. Co. v. Standard Wheel Co., 149 Fed. 698, 1033
Union R. and Stock Yard Co. v. Moore, 80 Ind. 458, 994, 995, 1036
Union Roling Mills Co. v. Gillen, 100 Ill. 52, 1828
Union Stockyards, &c., Co. v. Karlik, 170 Ill. 403, 1792
v. Nashville Packing Co., 140 Fed. 701, 655a, 943, 945
v. Wescott (Neb.), 66 N. W. 419, 1247
Union School Township v. First Nat. Bank, 102 Ind. 464, 902
Union Trac. Co. v. Basey, 164 Ind. 249, 1053a
v. Buckland, 34 Ind. App. 420, 1315g
v. Pfeil, 78 N. E. 1052, 992, 995, 1040a, 1096bm
v. Siceoff, 34 Ind. App. 511, 1096cy
v. Sullivan, 76 N. E. 116, 1689g
v. Vandercook, 32 Ind. App. 621, 1160
Union Trust Co. v. Atchison, &c., R. Co., 8 N. Mex. 327, 388
v. Chicago, &c., R. Co., 7 Fed. R. 513, 591, 594, 595
v. Cuppy, 26 Kan. 754, 581, 1057d
v. Illinois Mid. Ry. Co., 117 U. S. 434, 323, 369, 371, 521, 528, 548, 580, 589, 590, 591, 593, 595
v. Kendall, 20 Kan. 515, 1, 4
v. Midland R. Co., 117 U. S. 434, 522
v. Monticello, &c., R. Co., 63 N. Y. 311, 486, 487
v. Morrison, 125 U. S. 591, 528
v. New York, &c., R. R. Co. (Ohio Com. Pl.) 1 Ry. & Corp. Law, J. 50, 480
v. Olmstead, 102 N. Y. 729, 515
v. Rockford, &c., R. Co., 7 Chicago Legal News, 33, 553
v. Rockford, &c., R. Co., 6 Bis. (U. S.) 197, 553
v. St. Louis, &c., Co., 5 Dill. (U. S.) 1, 505, 507, 522
v. St. Louis, &c., R. Co., 4 Dillon (U. S.), 114, 540, 543, 545
v. Souther, 107 U. S. 591, 528
v. Thomason, 25 Kan. 1, 577, 1346
v. Weber, 96 Ill. 346, 389, 565, 745
Union Turnpike Co. v. Jenkins, 1 Caines (N. Y.), 381, 115
Union Village, &c., R. Co., In re, 53 Barb. (N. Y.) 457, 996
Union, &c., Ass'n. v. Seligman, 92 Mo. 635, 158
Union, &c., Bank v. Baker, 42 Neb. 880, 1075
v. Hunt, 76 Mo. 439, 127
Union, &c., Canals v. Towne, 1 N. H. 44, 45
Union, &c., Ins. Co. v. Slee, 123 Ill. 57, 1033
Union, &c., R. Co., Matter of, 113 N. Y. 275, 923
Union, &c., R. Co. v. Board, 54 Kan. 352, 1119
v. Board, 52 Kan. 680, 703
v. Continental R. Co., 11 Phila. (Pa.) 321, 1083, 1096z
v. East Tenn., &c., R. Co., 14 Ga. 327, 55
v. Hand, 7 Kan. 380, 1586
v. Harris, 158 U. S. 326, 1377
v. Harris, 63 Fed. R. 800, 1377
v. Hause, 1 Wyo. 27, 1063
v. Novak, 61 Fed. 573, 1782
v. Shacklet, 119 Ill. 232, 1372, 1605
v. Smith, 16 Colo. 361, 1265
v. Sneed, 99 Tenn. 1, 103
v. Snyder, 152 U. S. 684, 1278

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Union, &c., R. Co. v. Southern R. R. Co., 105 Mo. 562, 6, 1078, 1081, 1084
v. State, 72 Md. 153, 1166, 1171
v. Taggart, 149 U. S. 698, 1676
v. Williams, 3 Colo. App. 526, 1238
v. Winkley, 159 Mass. 133, 1559
v. Yeager, 34 Ind. 1, 1415, 1416, 1426
Union, &c., Transportation Co. v. Riegel, 73 Pa. St. 72, 1423, 1529
Union, &c., Trust Co. v. Southern, &c., R. R. Co., 49 Fed. R. 267, 528
v. Southern California Motor Road Co., 51 Fed. R. 840, 349
Union, &c., Co., In re, 22 Wend. 591, 263
Union, &c., Co., In re, 112 N. Y. 61, 1096q
Union, &c., Co. v. Bank, 2 Colo. 226, 412
v. Chicago, &c., Co., 51 Fed. R. 309, 257
v. Curtis, 35 Ohio St. 357, 110, 505
v. Merrick County, 3 Dill. 359, 903
v. Rocky Mountain, &c., Co., 2 Colo. 565, 253
v. Southern, &c., Co., 51 Fed. R. 840, 484, 494, 495
v. Young, 19 Kan. 488, 213
United Electric R. Co. v. Shelton, 89 Tenn. 423, 1095
United Elec. Light, &c., Co. v. State, 100 Md. 634, 1368
United Express Co. v. Burke, 94 Ill. App. 29, 1548b
United New Jersey R. Co. v. Jersey City, 53 N. J. L. 547, 750
v. National, &c., R. Co., 52 N. J. Law 90, 926, 1123
United Railway, &c., Co. v. Fletcher, 95 Md. 553, 1096dd
v. Watkins, 102 Md. 264, 1096br
United Railways v. Weir, 102 Md. 487, 1628
United Society v. Underwood, 9 Bush (Ky.), 609, 235, 282
United States, In re, 96 N. Y. 227, 950
United States v. Adair, 152 Fed. 737, 1688b
v. Agler, 62 Fed. R. 824, 575, 633
v. Alabama, &c., R. Co., 142 U. S. 615, 805, 806
v. Amedy, 11 Wheat. (U. S.) 392, 22, 709
v. Ames, 1 W. & M. (U. S.) 76, 965
v. Astoria, &c., R. Co., 131 Fed. 1006, 811
v. Atchison, &c., R. Co., 150 Fed. 442, 1315i
v. Atchison, &c., R. Co., 142 Fed. 176, 1688a
v. Atlantic, &c., R. Co., 153 Fed. 918, 1688b
v. Baltimore, &c., R. Co., 27 App. (D. C.) 105, 954
v. Baltimore, &c., R. Co., 17 Wall. (U. S.) 322, 743
v. Baltimore, &c., R. Co., 153 Fed. 997, 1688
v. Baltimore, &c., R. Co., 154 Fed. 108, 1678
v. Beebe, 127 U. S. 338, 806
v. Bitter Root, &c., Co., 200 U. S. 451, 811a
v. Boston, &c., R. Co., 15 Fed. R. 209, 714, 726, 1554, 1666
United States v. Burlington, &c., R. Co., 98 U. S. 334, 797
v. Camden Iron Works, 150 Fed. 214, 1673
v. Cassidy, 67 Fed. R. 698, 1664
v. Central Pac. R. Co., 118 U. S. 235, 1358d
v. Chesapeake, &c., R. Co., 105 Fed. 93, 1674
v. Chicago, 7 How. (U. S.) 185, 965
v. Chicago, &c., R. Co., 149 Fed. 486, 1315l, 1343, 1358d
v. Chicago, &c., R. Co., 143 Fed. 353, 1315l, 1358d
v. Chicago, &c., R. Co., 81 Fed. 783, 1673
v. Chicago, &c., R. Co., 127 Fed. 785, 1687
v. Clark, 95 U. S. 769, 892
v. Clark, 96 U. S. 211, 863, 874, 875
v. Clark, 96 U. S. 37, 918, 1663
v. Clark, Fed. Cas. 14805, 727
v. Cleveland, &c., R. Co., 3 Interst. C. R. 290, 1613, 1688
v. Coal Dealer Ass'n., 85 Fed. 252, 1674
v. Colton, &c., 146 U. S. 615, 799
v. Conner, 138 U. S. 61, 713
v. Combs, 12 Pet. (U. S.) 72, 725, 1358d, 1358e, 1663
v. County Ct. of Macon Co., 99 U. S. 582, 874, 875, 892, 918
v. Crooks, 116 Cal. 43, 1053
v. Cruikshank, 92 U. S. 542, 1668
v. Curtner, 38 Fed. R. 1, 795, 796, 801
v. Debs, 64 Fed. R. 724, 633, 726
v. DeCoursey, 82 Fed. 302, 1688
v. Delaware, &c., R. Co., 40 Fed. R. 101, 699, 1453, 1688a
v. Delaware, &c., R. Co., 152 Fed. 269, 1671
v. Denver, &c., R. Co., 150 U. S. 1, 4, 794, 802, 811a
v. Denver, &c., R. Co., 191 U. S. 84, 811a
v. Des Moines, &c., R. Co., 84 Fed. 40, 806
v. DeWitt, 9 Wall. 41, 667, 1669
v. Douglass, 113 N. Car. 190, 647
v. East Tennessee, &c., R. Co., 13 Fed. R. 642, 726, 1554, 1666
v. Egan, 47 Fed. R. 112, 1688
v. Eight Barrels Distilled Spirits, 1 Ben. (U. S.) 472, 714
v. Elizabeth, 42 Fed. R. 45, 918
v. Elliott, 62 Fed. R. 801, 633, 727, 1688
v. Elliott, 64 Fed. R. 27, 633
v. Engeman, 46 Fed. R. 898, 980
v. Engerman, 46 Fed. R. 176, 951
v. Ferreira, 13 How. (U. S.) 40, 559, 675
v. Fiscus, 42 Fed. R. 395, 667
v. Fischer, 2 Cranch, 358, 1663
v. Fowkes, 53 Fed. R. 13, 1688
v. Gettysburg, &c., R. Co., 161 U. S. 668, 950, 980
v. Great Falls Manufacturing Co., 112 U. S. 645, 980, 1048
v. Great Northern R. Co., 150 Fed. 229, 1315l
v. Great Northern R. Co., 145 Fed. 438, 1358e, 1663

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

United States v. Grant, 137 N. Y. 7, 751
v. Grundy, 3 Cranch (U. S.), 337, 47
v. Hanley, 71 Fed. R. 672, 1680, 1688
v. Harris, 85 Fed. 533, 1554
v. Harris, 106 U. S. 629, 1358e
v. Hartwell, 6 Wall. (U. S.) 385, 710
v. Hill, 120 U. S. 169, 806
v. Howard, 17 Fed. R. 638, 711, 712
v. Howell, 56 Fed. R. 21, 1688
v. Hynde, 47 Fed. 297, 811a
v. Insurance Companies, 22 Wall. 99, 616
v. Jefferson County, 5 Dill. 310, 840, 918
v. Jefferson County, 1 McCrary (U. S.), 356, 832, 840, 918
v. Jellico, &c., Co., 46 Fed. 432, 1674
v. Joint Traffic Ass'n., 171 U. S. 505, 1358e, 1674, 1675
v. Jones, 109 U. S. 513, 950, 980, 1019
v. Kane, 23 Fed. R. 748, 809, 634
v. Kane, 9 Sawy. (U. S. C. C.) 614, 727, 1638
v. Kansas Pac. Ry. Co., 99 U. S. 455, 495
v. Kimbal, 13 Wall. 636, 1424
v. Kirby, 7 Wall. (U. S.) 482, 727
v. Knight, 14 Pet. 301, 807
v. Knight, 3 Interst. C. 801, 1688
v. Knight Co., 156 U. S. 1, 49, 1669, 1674
v. Knight & Co., 60 Fed. R. 934, 1674
v. Laeseki, 29 Fed. R. 699, 713
v. Lamont, 155 U. S. 303, 918
v. Land in Monterey County, 47 Cal. 515, 998
v. Lincoln County, 5 Dill. 184, 918
v. Little Miami, &c., R. Co. 9 Reporter, 676, 931
v. Loughrey, 71 Fed. 921, 801
v. Louisville, &c., R. Co., 18 Fed. R. 480, 726, 1666
v. Lynah, 188 U. S. 445, 980a
v. Mc Andrews, &c., Co., 149 Fed. 823, 1674
v. Macdaniel, 7 Pet. 1, 807
v. McKelden, 8 The Rep. 778, 164
v. McLaughlin, 30 Fed. R. 147, 795, 796, 798, 806, 1029
v. Macon, 99 U. S. 582, 840
v. Macon County Ct., 35 Fed. R. 483, 892
v. Marigold, 9 How. 560, 1671
v. Mellen, 53 Fed. R. 229, 1682, 1688
v. Memphis, 97 U. S. 284, 824
v. Memphis, &c., R. Co., 6 Fed. R. 237, 1394
v. Mexican, &c., R. Co., 40 Fed. R. 769, 646
v. Michigan, &c., R. Co., 43 Fed. R. 26, 658
v. Michigan Cent. R. Co., 122 Fed. 544, 1688a
v. Miller Co., 4 Dill. 233, 918
v. Milwaukee, &c., R. Co., 142 Fed. 247, 1680, 1688a
v. Missouri, &c., R. Co., 37 Fed. R. 88, 795, 806
v. Missouri Pac. R. Co., 65 Fed. R. 903, 1676
United States v. Missouri, &c., R. Co., 141 U. S. 358, 798, 803
v. Morsman, 42 Fed. R. 448, 1667, 1688
v. Muscatine County, 2 Abbott (U. S.), 53, 918
v. Nashville, &c., R. Co., 118 U. S. 120, 807
v. New Orleans, 98 U. S. 381, 840, 875, 918
v. New Orleans R., 12 Wall. 362, 497, 498
v. Norfolk, &c., R. Co., 109 Fed. 831, 1688a, 1690
v. Norfolk, &c., R. Co., 138 Fed. 849, 1688a
v. Northern Pac. R. Co., 6 Mont. 351, 796
v. Northern Pac. R. Co., 41 Fed. R. 842, 795, 796
v. Northern Pac. R. Co., 152 U. S. 284, 798, 799, 800
v. Northern, &c., R. Co., 134 Fed. 715, 24
v. Norton, 97 U. S. 164, 482
v. Oregon R., &c., Co., 16 Fed. R. 524, 952, 977, 1027, 1028, 1029
v. Oregon, &c., R. Co., 164 U. S. 526, 831
v. Oregon, &c., R. Co., 143 Fed. 765, 796
v. Oregon, &c., R. Co., 176 U. S. 28, 798a, 799
v. Ortiz, 176 U. S. 422, 1783
v. Palmer, 3 Wheat. 610, 1459
v. Parkersburg Branch R. Co., 143 Fed. 224, 980a, 1057c
v. Parkersburg, &c., Co., 134 Fed. 969, 966, 977a
v. Philbrick, 120 U. S. 52, 39
v. Power, 6 Mont. 271, 1397
v. Railroad Co., 17 Wall. 322, 816
v. Railroad Bridge Co., 6 McLean (U. S.), 517, 950, 965, 1663
v. Rauers, 70 Fed. R. 748, 979
v. Reese, 92 U. S. 214, 1358e, 1669
v. Reid, 12 How. (U. S.) 361, 1663
v. Repentigny, 5 Wall. 211, 801, 802
v. Ried, 42 Fed. R. 134, 1700
v. Ross, 92 U. S. 281, 1701
v. Saul, 58 Fed. R. 763, 725
v. Seaboard, &c., R. Co., 82 Fed. 563, 1673, 1682
v. Seaman, 17 How. 225, 918
v. Southern Pac. R. Co., 14 Sawy. (U. S.) 620, 325
v. Southern Pac. R. Co., 39 Fed. R. 132, 795
v. Southern Pac. R. Co., 46 Fed. R. 683, 335
v. Southern Pac. R. Co., 62 Fed. R. 531, 794, 795
v. Southern Pac. R. Co., 146 U. S. 570, 796, 798, 798a, 799, 800
v. Southern Pac. R. Co., 117 Fed. 544, 804
v. Southern Pac. R. Co., 184 U. S. 49, 803
v. Southern R. Co., 135 Fed. 122, 1315l
v. St. Anthony R. Co., 192 U. S. 524, 811a

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

United States v. Standard Oil Co., 148 Fed. 719, 1680
v. Standard Oil Co., 155 Fed. 305, 1680, 1688a
v. Stanford, 69 Fed. R. 25, 812
v. Stanford, 161 U. S. 412, 34
v. Stanley (Civil Rights Cases), 109 U. S. 3, 1669
v. Swift, 122 Fed. 529, 1663, 1674
v. Thomas, 55 Fed. R. 380, 727
v. Thompson, 98 U. S. 486, 806
v. Trans-Missouri, &c., Assn., 58 Fed. R. 58, 366, 385, 1675
v. Trans-Missouri Assn., 53 Fed. R. 440, 1675
v. Trans-Missouri, &c., Asso., 166 U. S. 290, 2, 365, 1674, 1675
v. Twenty-five Thousand Gallons, &c., 1 Ben. (U. S.) 367, 714
v. Twenty-five Thousand Segars, 5 Blatchf. (U. S.) 500, 713
v. Union Bridge Co., 143 Fed. 377, 966, 980a, 1057c
v. Union Pac. R. Co., 91 U. S. 72, 503, 812, 1666
v. Union Pac. R. Co. (C. C. D. Colo.) 2 Denver Leg. News, 83, 794
v. Union Pac. R. Co., 37 Fed. R. 551, 795, 806
v. Union Pac. R. Co., 98 U. S. 569, 529, 534, 631, 1058
v. Union Pac. R. Co., 160 U. S. 1, 359
v. Walsh, 108 Fed. 502, 1062
v. Western Union Tel. Co., 50 Fed. R. 28, 385
v. Wilamette, &c., Co., 54 Fed. R. 807, 806
v. Wiltberger, 5 Wheaton (U. S.), 76, 710
v. Winona, &c., R. Co., 165 U. S. 463, 803, 806
v. Winona, &c., R. Co., 67 Fed. R. 969, 802, 807, 809
v. Winona, &c., R. Co., 67 Fed. R. 948, 809
v. Wood, 145 Fed. 405, 1667, 1673
v. Workingmen's Assn., 54 Fed. R. 994, 633, 1688
United States Capsule Co. v. Isaacs, 23 Ind. App. 533, 334
United States Commission of Fish and Fisheries, In re, 1 Interst. Com. Rep. 606, 1612
United States Ex. Co. v. Backman, 28 Ohio St. 144, 1401, 1452, 1454, 1510
v. Haines, 67 Ill. 137, 1423
v. Hammer, 21 Ind. App. 186, 1524a, 1525
United States Ex. Co. v. Harris, 51 Ind. 127, 1446, 1512
v. Joyce, 36 Ind. App. 1, 1736
v. Keefer, 59 Ind. 263, 1425, 1530
v. Rush, 24 Ind. 403, 1438
United States Fidelity, &c., Co. v. Board, 145 Fed. 144, 655a
United States Graphite Co. v. Pacific, &c., Co., 68 Fed. R. 442, 621
United States Ins. Co. v. Shriver, 3 Md. Ch. 381, 268
United States Pipe Line Co. v. Delaware, &c., R. Co., 62 N. J. L. 254, 972
United States Rolling Stock Co., In re, 55 How. Pr. 286, 27, 596
United States Rolling Stock Co. v. Atlantic, &c., R. Co., 34 Ohio St. 450, 227, 228, 515
United States Trust Co. v. Atlantic &c., R. Co., 8 N. Mex. 689, 4
v. New York, &c., R. Co., 101 N. Y. 478, 538, 584
v. New York, &c., R. Co., 67 How. Pr. 390, 546
v. New York, &c., R. Co., 25 Fed. R. 800, 562
v. Omaha, &c., Ry. Co., 63 Fed. R. 737, 567
v. Omaha, &c., R. Co., 61 Fed. R. 531, 555
v. Wabash, &c., Ry. Co., 32 Fed. R. 480, 497
v. Wabash, &c., R. R. Co., 150 U. S. 287, 382, 528, 567, 579, 581, 582
v. Western Contract Co., 81 Fed. 454, 481
United States Vinegar Co. v. Spanner, 143 N. Y. 676, 574
United States, &c., Co. v. Weir, 96 Ala. 396, 1349
United States, &c., Co. v. American, &c., Co., 181 U. S. 434, 602
v. Board, 145 Fed. 144, 656
v. Gildersleve, 29 Md. 232, 1576
v. Hemmingway, 39 Fed. R. 60, 764
v. Lee, 73 Ill. 142, 398
v. Manufacturing Co., 101 Ky. 658, 1692
v. Oliver, 16 Neb. 612, 1543
v. Schlegel, 143 N. Y. 537, 13a
v. Spencer (W. Va.), 21 S. E. R. 769, 1075
v. State, 79 Md. 63, 744
v. United States, &c., Co., 18 N. Y. 199, 1019
v. Wabash, &c., R. Co., 32 Fed. R. 480, 392
v. Wilder, 116 Ill. 100, 1292
United Water Works Co. v. Omaha Water Co., 164 N. Y. 41, 531a, 534
v. Stone, 127 Fed. 587, 531a, 534
United, &c., Co. v. Watkins, 102 Md. 264, 1096bo
Unity v. Burrage, 103 U. S. 447, 861, 1358e
Unity Ins. Co. v. Cram, 43 N. H. 636, 190
University v. Illinois, 99 U. S. 309, 768, 1096o
University of Maryland v. Williams, 9 Gill & J. (Md.) 365, 58
University of Minnesota v. St. Paul, &c., R. Co., 36 Minn. 447, 964
Unlawful charges, In re, 8 Int. Com. 585, 1684i
Unthank v. Henry Co. Turnp. Co., 6 Ind. 125, 142
Upham v. Detroit, &c., R. Co., 85 Mich. 12, 1096cz, 1630
Uphoff v. Chicago, &c., R. Co., 5 Fed. R. 545, 23, 649
Upper Appomattox Co. v. Hardings, 11 Gratt. (Va.) 1 1025
Upshur Co. v. Rich, 135 U. S. 467, 646
Uptegrove v. Central R. Co., 37 N. Y. Supp. 654, 1515

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Upton v. Burnham, 3 Biss. (U. S.) 431, 98
v. Englehart, 3 Dill. (U. S.) 496, 127, 130
v. Hansborough, 3 Biss. (U. S.) 417, 175, 176
v. Jackson, 1 Flipp. (U. S.) 413, 132
v. National Bank, 120 Mass. 153, 510
v. South Reading Branch R. Co., 8 Cush. (Mass.) 600, 1036
v. Tribilcock, 91 U. S. 45, 89, 90, 103, 109, 110, 111, 127, 132, 149, 155, 178, 181, 569
Urbanek v. Chicago, &c., R. Co., 47 Wis. 59, 1158
Urias v. Pennsylvania R. Co., 152 Pa. St. 326, 1166
Urquhart v. Barnard, 1 Taunt. 450, 1483
Usher v. Raymond Skate Co., 163 Mass. 1, 292
v. West Jersey, &c., R. Co., 126 Pa. St. 206, 1365, 1368, 1373
Utah, &c., Railway Co. v. Fisher, 116 U. S. 28, 789
v. Utah, &c., R. Co., 110 Fed. 879, 801
Utah, &c., Co. v. DeLamar, 145 Fed. 505, 656
Utermehle v. McGreal, 1 App. Dist. Columbia, 359, 514
Uthermohlen v. Boggs Run Co. 50 W. Va. 457, 1259
Utica Ins. Co. v. Cadwell, 3 Wend. (N. Y.) 296, 173
v. Scott, 19 Johns. 1, 341
Utica Nat. Brewing Co., Matter of, 154 N. Y. 268, 336
Utica, &c., R. Co., In re, 56 Barb. (N. Y.) 456, 996, 1038
Utica, &c., R. Co. v. Brinckerhoff, 21 Wend. (N. Y.) 139, 121

V

Vacation of Center Street, In re, 115 Pa. St. 247, 782
Vail v. Fall Creek Turnpike Co., 32 Ind. 198, 1033
v. Hamilton, 85 N. Y. 453, 78, 87, 95
v. McKernan, 21 Ind. 421, 805
v. Morris, &c., R. Co., 21 N. J. Law, 189, 926, 1015, 1022, 1041
v. Upton, 85 N. Y. 453, 78
Vale Mills v. Spalding, 62 N. H. 605, 149
Valentine v. Long Island, &c., R. Co., 187 N. Y. 121, 1726
v. Middlesex R. Co. 137 Mass. 28, 1096ct
Valin v. Milwaukee, &c., R. Co., 82 Wis. 1, 1175
Valk v. Crandall, 1 Sandf. Ch. (N. Y.) 179, 110
Vallaster v. Atlantic City R. Co., 62 Atl. 993, 1224
Valle v. Carre, 36 Mo. 575, 1426
Valley Bank v. Ladies', &c., Sewing Society, 28 Kan. 423, 606
Valley City Salt Co. v. Brown, 7 W. Va. 191, 952
Valley R. Co. v. Bohm, 34 Ohio St. 114, 960, 1029
v. Bohm, 29 Ohio St. 633, 1025
v. Keegan, 87 Fed. 849, 1268, 1792
Valley R. Co. v. Lake Erie Iron Co., 46 Ohio St. 44, 106, 159, 251
Valparaiso v. Chicago, &c., Ry. Co., 123 Ind. 467, 1104, 1105
VanAllen v. Illinois Cent. R. R. Co., 7 Bosw. (N. Y.) 515, 87, 138, 484
Van Alstyne v. Houston, &c., R. R. Co., 56 Tex. 377, 534
VanAntwerp, In re, 56 N. Y. 261, 782
Vanarsdale v. Louisville, &c., R. Co., 65 S. W. 850, 1257
VanAvery v. Union Pac. R. Co., 35 Fed. R. 40, 1300
VanBenthuysen v. Central N. E., &c., R. Co., 17 N. Y. S. 709, 509, 546
v. Central, &c., R. Co., 63 Hun, 627, 509, 546
Van Brunt v. Cincinnati, &c., R. Co., 78 Mich. 530, 1360, 1378a
VanBuren Div. Toledo, &c., R. Co. v. Lamphear, 54 Mich. 575, 14
VanBuskirk v. Roberts, 31 N. Y. 661, 1434
Van Camp v. Railway Co., 137 Mich. 467, 1627a
Vance v. Little Rock, 30 Ark. 435, 840
v. McNabb, &c., Coke Co., 92 Tenn. 47, 535
Vance v. Phœenix Ins. Co., 4 Lea (Tenn.), 385, 280
v. Vandercook Co., 170 U. S. 438, 1665
Van Cleve v. Berkey, 143 Mo. 109, 111
v. St. Louis, &c., R. Co., 80 S. W. 706, 1592
v. St. Louis, &c., R. Co., 101 S. W. 632, 1773
VanCott v. VanBrunt, 82 N. Y. 535, 91, 110, 276
Vandalia R. Co. v. State (Ind.), 76 N. E. 980, 1082, 1102, 1106, 1109, 1111
Vandalia, &c., R. Co. v. Kanarr, 77 N. E. 1135, 1181
Vandall v. South San Francisco Dock Co., 40 Cal. 83, 342
Vandegrift v. Delaware, &c., R. Co., 2 Houst. (Del.) 287, 996, 1188
v. Rediker, 22 N. J. L. 185, 1180
Van Demark v. Barons, 52 Kan. 779, 178
Vanderbilt v. Bennett, 2 Ry. & Corp. L. J. 409, 162
v. Central R. Co., 43 N. J. Eq. 669, 537, 538, 566, 567
v. Little, 51 N. J. Eq. 289, 567
Vandercook v. Williams, 106 Ind. 345, 675, 705
Vanderheyden v. Young, 11 Johns. 150, 865
Vanderhoof v. Shell, 42 Ore. 578, 1059
Vanderkar v. Rennselaer, &c., R. Co., 13 Barb. 390, 1198
Vanderlip v. City of Grand Rapids, 73 Mich. 522, 976
Vanderpoel v. Gorman, 140 N. Y. 563, 286, 602
Vanderpool v. La Crosse, &c., R. Co., 44 Wis. 652, 1065
Vanderslice v. Newton, 4 N. Y. 130, 1691
Vanderwerken v. Glenn, 85 Va. 9, 184
Vanderwerker v. Vermont, &c., R. Co., 27 Vt. 130, 1059, 1060, 1061
Vandeventer v. Chicago, &c., R. Co., 26 Fed. R. 32, 1586

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Van De Vere v. Kansas City, 107 Mo. 83, 1049a
Vandewater v. Mills, 19 How. (U. S.) 82, 1463
v. New York, &c., R. Co., 135 N. Y. 583, 1114, 1115
v. New York, &c., R. Co., 74 Hun, 32, 1153, 1161
v. New York, &c., R. Co., 26 N. Y. Supp. 397, 1185
Vandewelden v. Chicago, &c., R. Co., 61 Fed. R. 54, 1377
VanDoren v. Olden, 19 N. J. Eq. 176, 307
v. Robinson, 16 N. J. Eq. 256, 360
VanDresser v. Oregon R., &c., Co., 48 Fed. R. 202, 473, 621, 621a
Van Dusan v. Grand Trunk R. Co., 97 Mich. 439, 200, 1549, 1576, 1594
VanDyck v. McQuade, 86 N. Y. 38, 83, 310, 614
Vandyke v. Cincinnati, 1 Disney (Ohio), 532, 711
Vane v. Newcombe, 132 U. S. 220, 605, 1070
VanEtten v. Newton, 134 N. Y. 143, 1419
Van Gilder v. Chicago, &c., R. Co., 44 Ia. 548, 1651
VanGlahn v. DeRossett, 81 N. Car. 467, 614
VanHook v. Selma, 70 Ala. 361, 1083
v. Somerville, &c., Co., 5 N. J. Eq. 137, 263
v. Whitlock, 26 Wend. 43, 1008
VanHorn v. Burlington, &c., R. Co., 59 Iowa, 33, 711
v. Kermit, 4 E. D. Smith, 453, 1645, 1651, 1660
v. Newark, &c., R. Co., 48 N. J. Eq. 332, 630
Van Horne v. Dorrance, 2 Dall. (U. S.) 304, 672, 940, 984
VanHostrup v. Madison City, 1 Wall. (U. S.) 291, 826, 898, 900, 902
Vant Hul v. Great Northern R. Co., 90 Minn. 329, 1278a
Van Husen v. Omaha Bridge, &c., Co., 118 Ia. 366, 985, 998
VanKeuren v. Central R. of N. J., 38 N. J. L. 165, 31, 495, 498
Van Kirk v. Adler, 111 Ala. 104, 167
v. Pennsylvania R. Co., 76 Pa. St. 66, 1593
VanKleeck v. Dutchess County R. Co., 28 N. Y. Supp. 902, 1143
Vann v. Barnett, 2 Bro. Ch. 158, 558
Vannatta v. Central R. Co., 154 Pa. St. 262, 1320
v. Duffy, 4 Ind. App. 168, 1704
v. People's &c., R. Co. (Mo.) 34 S. W. 505, 1402
Vanneman v. Young, 52 N. J. L. 403, 18, 190
v. Young, 3 Lewis Am. R. R. & Corp. 660, 20
VanNess v. Pacard, 2 Pet. (U. S.) 137, 1663
Van Norden v. Morton, 99 U. S. 378, 702
Van Nostrand v. Railway Co., 79 Hun (N. Y.), 550, 1244
Van Orsdol v. Burlington C. R. & N. R. Co., 56 Iowa, 470, 1048, 1056
Van Ostran v. New York, &c., R. Co., 35 Hun, 590, 1641
Van Ostrand v. Wallkill, &c., R. Co., 19 N. Y. Supp. 621, 1227
Van Ripper v. New York, &c., R. Co., 71 N. J. L. 345, 1156
Vansands v. Middlesex Co. Bank, 26 Conn. 144, 99
Van Santvoord v. St. John, 6 Hill, 157, 1412, 1435, 1443, 1527
Van Schaick v. Hudson River, &c., R. Co., 43 N. Y. 527, 1251
Van Scholck v. Delaware, &c., Canal Co., 20 N. J. Law, 249, 980, 1004
Vansicien v. Bartol, 95 Fed. 793, 531a
Van Slyke v. Chicago, &c., R. Co., 80 Iowa, 620, 1207, 1216, 1219
v. Trempealeau, &c., Co., 39 Wis. 390, 675
Van Steuben v. Central R. Co., 178 Pa. St. 367, 444, 1243a
Van Stone v. Stillwell, &c., Manufacturing Co., 142 U. S. 128, 1108
Van Tassell v. Manhattan, &c., Hospital, 15 N. Y. Supp. 620, 223, 1388
Van Valkenburgh v. Milwaukee, 43 Wis. 574, 1031, 1033
Van Vrakin v. Wisconsin, &c., R. Co., 68 Iowa, 576, 1143
Van Wagner v. Central, &c., R. Co., 80 Hun, 278, 1148
v. Central, &c., R. Co., 30 N. Y. Supp. 165, 1139
Van Wagoner v. Paterson, &c., Co., 23 N. J. Law, 283, 569
Van Wert Co. v. Peirce, 90 Fed. 764, 937
Van Wickle v. Camden, &c., R. Co., 14 N. J. Law, 162, 1041, 1046
Van Winkle v. Chicago, &c., R. Co., 93 Ia. 509, 1296
v. New York, &c., R. Co., 34 Ind. App. 476, 1154, 1156
v. South Carolina R. Co., 38 Ga. 32, 1457, 1718
v. United States S. S. Co., 37 Barb. (N. Y.) 122, 1741
Van Wyck v. Knevals, 106 U. S. 360, 405, 793, 796, 801, 804
Vany v. Receiver of Toledo, &c., R. Co., 67 Fed. R. 379, 656
Van Zant v. Waddel, 2 Yerg. 260, 973, 1336
Varco v. Chicago, &c., R. Co., 30 Minn. 18, 1185, 1219
Varner v. Martin, 21 W. Va. 534, 950, 952
v. St. Louis, &c., R. Co., 55 Ia. 677, 1188
Varney v. Justice, 86 Ky. 596, 815
Vars v. Grand Trunk R. Co., 23 U. C. C. P. 143, 1265
Vary v. Burlington, &c., R. Co., 42 Iowa, 246, 1267a, 1635
Vassau v. Madison, &c., R. Co., 106 Wis. 301, 1801, 1802
Vassor v. Atlantic Coast Line R. Co., 142 N. Car. 68, 1305, 1580
Vatable v. New York, &c., R. R. Co., 96 N. Y. 49, 154, 525, 526, 532, 533
Vatterlein v. Barnes, 124 U. S. 169, 1003
Vaugh v. Wetherel, 116 Mass. 138, 1049c
Vaughan v. Kansas City, &c., R. Co., 34 Mo. App. 141, 1214
v. Providence, &c., R. Co., 13 R. I. 578, 1570

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1300; *Vol. IV,* §§ 1391–1851.]

Vaughan v. Six, &c., Casks of Wine, 7 Ben. 506, 1421
v. Taff Vale R. Co., 5 H. & N. 679, 1221, 1223, 1224, 1584
v. Taff Vale R. Co., 3 H. & N. 742, 1238
Vaughn v. Dayton, 12 Ind. 561, 389
v. Digman, 19 Ky. L. 1340, 1062
v. Harp, 49 Ark. 160, 677
v. New York, &c., R. Co., 61 Atl. 695, 1429a
v. Smith, 58 Iowa, 553, 1070
Vaundry v. Chicago, &c., R. Co., 109 N. W. 926, 1298
Vautrain v. St. Louis, &c., R. Co., 8 Mo. App. 538, 1268
Vawter v. Franklin College, 53 Ind. 88, 18
v. Griffin, 40 Ind. 593, 92
v. Missouri, &c., R. Co., 84 Mo. 679, 1365, 1366
Veazie v. Moor, 14 How. 568, 1671
v. Penobscot R. Co., 49 Me. 119, 1092, 1107, 1176
Vecchioni v. New York, &c., R. Co., 77 N. E. 306, 302, 1361a
Vedder v. Delaney, 122 Ia. 583, 1811
v. Fellows, 20 N. Y. 126, 202, 302, 1602
Veeder v. Lima, 19 Wis. 280, 885
v. Mudgett, 95 N. Y. 295, 87, 155
Veerhusen v. Chicago, &c., R. Co., 53 Wis. 689, 1196, 1209
Veiller v. Brown, 18 Hun (N. Y.), 571, 92
Veith v. Hope Salt Co., 51 W. Va. 96, 1299
Venable Const. Co. v. United States, 114 Fed. 763, 1060
Venard v. Cross, 8 Kan. 248, 10, 18
Venice v Murdock, 92 U. S. 494, 259, 865, 898, 916, 1053
Venner v. Atchison, &c., R. R. Co., 28 Fed. R. 581, 45, 252
v. Fitzgerald, 91 Fed. 335, 531a
Ventura, &c., R. Co. v. Collins (Cal.), 46 Pac. 287, 109
v. Hartman, 116 Cal. 260, 133
Verdier v. Port Royal, &c., R. Co., 15 S. Car. 476, 795
Vemilya v. Chicago, &c., R. Co., 66 Iowa, 606, 415, 1239
Vermont v. Boston, &c., R. Co., 25 Vt. 433, 67
Vermont, &c., R. Co. v. Baxter, 22 Vt. 365, 959, 960, 1004, 1006, 1057, 1063
v. Burlington, 28 Vt. 193, 42
v. Clayes, 21 Vt. 30, 106, 110
v. Fitchburg R. Co., 14 Allen, 462, 1394, 1398, 1452
v. Vermont, &c., R. Co., 34 Vt. 1, 48, 54, 57, 70, 383, 394, 537, 607
v. Vermont, &c., R. Co., 63 Vt. 1, 456, 461, 765
v. Vermont, &c., R. Co., 50 Vt. 500, 516, 541, 591
v. Vermont, &c., R. Co., 46 Vt. 792, 537, 555, 561, 575
v. Windham Bank, 44 Vt. 489, 102
Vernard v. Hudson, 3 Sumn. (C. C.) 405, 1420
Verner v. Alabama, &c., R. Co., 103 Ala. 574, 1251
v. General, &c., Trust (L. R. 1894), 2 Ch. 239, 315
Verner v. Sweitzer, 32 Pa. St. 208, 1399, 1581, 1582, 1516, 1661
Vernon v. Grand Trunk, &c., R. Co., 2 Mont. (Can.) S. C. 181, 1200
v. Smith, 5 B. & Ald. 1, 945
Verona, Appeal of Borough of, 108 Pa. St. 83, 1049
Verplanck v. Mercantile Ins. Co., 2 Paige (N. Y.), 438, 549
v. Mercantile, &c., Co., 1 Edw. Ch. 84, 274
v. Wright, 23 Wend. 506, 361
Verplank v. Caines, 1 Johns. Ch. (N. Y.) 57, 540
Verrone v. Rhode Island, &c., Co. (R. I.) 62 Atl. 512, 1096bt, 1689i
Vestry of St. Pancras v. Batterbury, 2 C. B. (N. S.) 477, 1363
Vetalore v. Perkins, 101 Fed. 393, 1366a
Vick v. Lane, 56 Miss. 681, 182
v. La Rochelle, 57 Miss. 602, 176
v. New York, &c., R. Co., 95 N. Y. 267, 1303a
Vickers v. Chicago, &c., R. Co., 71 Fed. R. 139, 1380, 1384
Vickery v. Blair, 134 Ind. 554, 872, 904
v. Board, 134 Ind. 554, 1008
v. Omaha, &c., R. Co., 93 Mo. App. 1, 3
Vicksburg v. Lombard, 51 Miss. 111, 836
v. Vicksburg, &c., Co., 202 U. S. 453, 67, 525a
Vicksburg Bank v. Worrell, 67 Miss. 47, 761
Vicksburg, &c., R. Co. v. Alexander, 62 Miss. 496, 1100
v. Barrett, 67 Miss. 579, 401
v. Bradley, 66 Miss. 518, 750
v. Calderwood, 15 La. Ann. 481, 987
v. Dillard, 35 La. Ann. 1045, 988
v. Dennis, 116 U. S. 665, 746
v. Elmore, 46 La. Ann. 1237, 532, 803a
v. McKean, 12 La. Ann. 638, 13a, 106, 127, 128
v. O'Brien, 119 U. S. 99, 218, 1689i
v. Patton, 31 Miss. 156, 1180, 1181, 1209, 1218
v. Phillips, 64 Miss. 693, 1361a, 1363, 1376, 1637
v. Putnam, 118 U. S. 545, 1378, 1689i, 1807
v. Ragsdale, 46 Miss. 458, 362, 1455, 1484, 1485, 1730, 1731, 1733
v. Ragsdale, 54 Miss. 200, 269, 362, 386, 941, 944
v. Sledge, 41 La. Ann. 896, 794, 801
v. Stocking (Miss.), 13 So. 469, 1450
Vicksburg, &c., Tel. Co. v. Citizens' Tel. Co., 79 Miss. 341, 324, 335
Victor G. Bloede Co. v. Bloede, 84 Md. 129, 92
Victor, &c., Co. v. Muir, 20 Colo. 320, 1292, 1315
Victorian R. Comm'rs v. Coultas, L. R. 13 App. Cas. 222, 1817
Videtta, The, 34 Fed. R. 396, 1539, 1540
Viele v. Troy, &c., R. Co., 20 N. Y. 184, 935
Vila v. Grand Island, &c., Co., 68 Neb. 222, 541, 551, 556, 560

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Vilas v. Milwaukee, &c., Co., 17 Wis. 497, 72, 532
v. Page, 106 N. Y. 439, 336, 525, 526, 596, 597
Vilhac v. Stockton, &c., R. Co., 53 Cal. 208, 1050
Village of Chester v. Leonard, 68 Conn. 495, 1060a
Village of Glencoe v. People, 78 Ill. 382, 643
Village of Hyde Park v. Oakwoods, &c., Association, 119 Ill. 141, 964, 968
Village of Jamaica v. Long Island R. Co., 21 N. Y. Supp. 327, 1106
Vilwig v. Baltimore, &c., R. Co., 79 Va. 449, 232
Vimont v. Chicago, &c., R. Co., 64 Iowa, 513, 647
v. Chicago, &c., R. Co., 71 Iowa, 58, 1628, 1692
Vincennes, &c., R. Co. v. White, 124 Ind. 376, 1271, 1288
Vincent v. Chapman, 10 Gill & J. (Md.) 279, 278
v. Chicago, &c., R. Co., 49 Ill. 33, 636, 1391, 1678, 1690
v. Norton, &c., St. R. Co., 180 Mass. 104, 1096ch, 1778
v. Snoqualmie, &c., Co., 7 Wash. 566, 345
v. Stinehour, 7 Vt. 62, 1584
Vincent Bros. v. New York, &c., R. Co., 77 Conn. 431, 1001a
Vineberg v. Grand Trunk R. Co., 13 Ont. App. 93, 1651, 1659
Vinegar Bend Lumber Co. v. Oak Grove, &c., R. Co., 43 So. 292, 952a, 1011
Viner v. New York, &c., Co., 50 N. Y. 23, 1523
Vining v. Detroit, &c., R. Co., 122 Mich. 248, 1096da
Vinson v. Los Angeles, &c., R. Co., 147 Cal. 479, 1702
Vinton's Appeal, 99 Pa. St. 434, 307
Vinton v. Baldwin, 95 Ind. 433, 40, 1471
v. Board of Supervisors, 2 N. Y. Supp. 367, 868
v. Middlesex R. Co., 11 Allen (Mass.), 304, 1637
v. Schaub, 32 Vt. 612, 1274
Virginia v. Hall, 96 Ill. 278, 789
v. Rives, 100 U. S. 313, 645
Virginia Coal, &c., Co. v. Louisville, &c., R. Co., 98 Va. 776, 1564
Virginia Coupon Cases, 114 U. S. 270, 700, 1358e
Virginia Iron, &c., Co. v. Tomlinson, 104 Va. 249, 1796
Virginia Land Co. v. Haupt, 90 Va. 533, 128, 132
Virginia Steamboat v. Kraft, 25 Mo. 76, 1570
Virginia, &c., Coal Co. v. Central R. Co., 170 U. S. 355, 500, 528
Virginia, &c., R. Co. v. Barksdale, 82 Vt. 330, 1257
v. Booker, 99 Va. 633, 1000a, 1001
v. Commissioners, 6 Nev. 68, 123
v. Crow, 108 Tenn. 17, 931, 934a
v. Elliott, 5 Nev. 358, 393, 960, 970, 994, 995, 1012, 1036, 1040, 1041
v. Harris, 103 Va. 708, 1829
v. Henry, 8 Nev. 165, 993, 995, 1036, 1036b, 1040
Virginia, &c., R. Co. v. Lovejoy, 8 Nev. 100, 962, 987, 1014, 1018, 1034
v. Lynch, 13 Nev. 92, 1076
v. Lyon County, 6 Nev. 68, 852
v. Roach, 83 Va. 375, 1305, 1632
v. Sanger, 15 Gratt. 230, 1585, 1589
v. Sayers, 26 Gratt. (Va.) 328, 1500, 1511, 1546, 1548, 1605
v. Washington, 86 Va. 629, 468, 472, 473
v. White, 84 Ga. 498, 1115
Visalia Gas, &c., Co. v. Sims, 104 Cal. 326, 369
Visalia, &c., R. Co. v. Hyde, 110 Cal. 632, 137
Vissman v. Southern R. Co., 89 S. W. 502, 1273
Vlierboom v. Chapman, 13 M. & W. 230, 1562
Voak v. Northern Cent. R. Co., 75 N. Y. 320, 1158, 1173
Voegtly v. Pittsburgh, &c., R. Co., 2 Grant Cas. (Pa.) 243, 1046a
Voelker v. Chicago, &c., R. Co., 116 Fed. 867, 1673
Vogt v. Bexar Co., 5 Tex. Civ. App. 272, 1046a
v. Schienebeck, 122 Wis. 491, 1425
Vohs v. Shorthill Co., 130 Ia. 538, 1767
Voight v. Dregge, 97 Mich. 322, 178
Volkman v. Chicago, &c., R. Co., 5 Dak. 69, 1213, 1216
Volkmar v. Manhattan, &c., R. Co., 134 N. Y. 418, 1263
Volkmar St., Matter of, 124 Pa. St. 320, 1007, 1008
Volunteer, The Schooner, 1 Sumn. (U. S.) 551, 1572
Volz v. Chesapeake, &c., R. Co., 95 Ky. 188, 1316
Von Glahn v. DeRossett, 81 N. Car. 467, 609
Von Hoffman v. Quincy, 4 Wall. (U. S.) 535, 833, 840, 842
Von Schmidt v. Huntington, 1 Cal. 55, 164, 182
Voorhees v. Bank, 10 Pet. 449, 1018
v. Chicago, &c., R. Co., 71 Iowa, 735, 303
v. Indianapolis, &c., Co., 140 Ind. 220, 184, 537
Voorhis v. Murphy, 26 N. J. Eq. 434, 944
Voris v. Pittsburgh, &c., Co., 163 Ind. 559, 789a
v. Renshaw, 49 Ill. 425, 943
Vosburg v. Putney, 80 Wis. 523, 1799, 1806
Vose v. Bronson, 6 Wall. 452, 549
v. Cowdrey, 49 N. Y. 336, 529, 534
v. Lancashire, &c., R. Co., 2 Hurlst. & N. 728, 1280, 1300
v. Reed, 1 Woods (U. S.), 647, 540
Voshell v. Hynson, 26 Md. 82, 558
Voss v. Delaware, &c., R. Co., 62 N. J. L. 59, 1280, 1769
v. Wagner, &c., Co., 16 Ind. App. 271, 1622, 1623, 1625, 1627, 1652a, 1656a, 1659
Vought v. Eastern Building, &c., Assn., 172 N. Y. 517, 373
Vowell v. Thompson, 3 Cr. C. C. (U. S.) 428, 156, 157
Vredenburg v. Behan, 33 La. Ann. 627, 190

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Vreeland v. New Jersey, &c., Co., 29 N. J. Eq. 188, 103, 282
Vrooman v. Houston, &c., R. Co., 27 N. Y. Supp. 1128, 1636
Vulcan v. Myers, 58 Hun (N. Y.), 161, 616
Vyse v. Chicago, &c., R. Co., 126 Ia. 90, 1057d
Vyvyan v. Arthur, 1 B. & C. 410, 945
W.
Waaler v. Great Northern R. Co., 18 S. Dak. 420, 1265, 1689a
Wabash v. Tourville, 179 U. S. 322, 626
Wabash Co. v. Defiance, 52 Ohio St. 263, 1108
Wabash Eastern R. Co. v. East Lake, &c., Dist., 134 Ill. 384, 771
Wabash R. Co. v. Achemire, 19 Ind. App. 482, 1068
v. Campbell, 219 Ill. 312, 1550
v. Cincinnati, &c., Co., 29 Ind. App. 541, 1122
v. Defiance, 167 U. S. 88, 44, 672, 1082, 1108
v. De Tar, 141 Fed. 932, 1701
v. Erb, 36 Ind. App. 650, 1252, 1303a, 1766
v. Ft. Wayne, &c., Traction Co., 161 Ind. 295, 1042, 1050, 1051, 1135
v. Fox, 64 Ohio St. 133, 1366
v. Jones, 53 Ill. App. 125, 1794
v. Keister, 163 Ind. 609, 1173
v. Kelley, 153 Ind. 119, 1389
v. Kingley, 177 Ill. 558, 1255
v. Kithcart, 149 Fed. 108, 1272a
v. McDaniels, 107 U. S. 454, 1284, 1292
v. Mathew, 199 U. S. 605, 1831
v. Miller, 158 Ind. 174, 1243a
v. Ordelheide, 172 Mo. 436, 1236
v. Pearce, 192 U. S. 179, 1451, 1570
v. Prast, 101 Ill. App. 167, 1783
v. Ray, 152 Ind. 392, 1272a, 1273, 1288, 1296
v. Sharpe, 107 N. W. 758, 1457, 1457a
v. Sloop, 200 Mo. 198, 1684l, 1688a
v. Stewart, 87 Ill. App. 446, 1850
Wabash River Trac. Co. v. Baker (Ind.), 78 N. E. 196, 1096bt, 1096cy
Wabash, &c., Canal v. Spears, 16 Ind. 441, 977, 1057
Wabash, &c., R. Co., In re, 24 Fed. R. 217, 575
Wabash, &c., R. Co. v. Biddle, 27 Ind. App. 161, 1166a, 1179a
v. Black, 11 Ill. App. 465, 1502a
v. Brow, 65 Fed. R. 941, 654, 1377, 1796
v. Brown, 152 Ill. 484, 1498, 1514
v. Brown, 2 Bradw. (Ill.) 516, 1193, 1201, 1270
v. Central Trust Co., 22 Fed. R. 272, s. c. 23 Fed. R. 513, 546, 551
v. Central Trust Co., 22 Fed. R. 138, 511, 512, 522, 536, 546
v. Central Trust Co., 22 Fed. R. 269, 551
v. Central Trust Co., 23 Fed. R. 738, 1158
v. Cooper, 10 Ill. App. 271, 1315
v. Defiance, 52 Ohio St. 262, 1080, 1108
v. Dougan, 142 Ill. 248, 624, 627
Wabash, &c., R. Co. v. Dykeman, 133 Ind. 56, 556, 557
v. Farver, 111 Ind. 195, 1063, 1064, 1090
v. Forshee, 77 Ind. 158, 1193, 1195
v. Ft. Wayne, &c., R. Co., 161 Ind. 295, 1013b
v. Friedman, 146 Ill. 583, 1756
v. Ham, 114 U. S. 587, 335, 336, 500, 600, 607
v. Harris & Co., 55 Ill. App. 159, 1434
v. Henks, 91 Ill. 406, 1160
v. Illinois, 118 U. S. 415, 658, 763, 1564, 1593, 1663, 1664, 1669, 1671, 1673, 1682
v. Jaggerman, 115 Ill. 407, 1435, 1436, 1498, 1695, 1723, 1743
v. Johnson, 96 Ind. 40, 1226, 1689a
v. Kamratt, 109 Ill. App. 203, 1160
v. Koenigsam, 13 Ill. App. 505, 1696
v. Locke, 112 Ind. 404, 1584, 1689f, 1697
v. McCasland, 11 Ill. App. 491, 1546, 1555
v. McDaniels, 107 U. S. 454, 213, 1268
v. McDougall, 118 Ill. 229, 999
v. Moran, 13 Ill. App. 72, 1307
v. Morgan, 132 Ind. 430, 1278, 1768, 1812
v. Nice, 99 Ind. 152, 1209
v. Oregon, 23 Ind. App. 1, 1359
v. Payton, 106 Ill. 534, 430, 471, 474, 1635
v. Perbex, 57 Ill. App. 62, 1200
v. Peyton, 106 Ill. 534, 459
v. Pratt, 15 Ill. App. 177, 1552, 1553, 1693
v. Rector, 104 Ill. 296, 1579, 1628, 1836
v. Rooker, 90 Ind. 581, 1208
v. Savage, 110 Ind. 156, 1638, 1697
v. Shacklet, 105 Ill. 364, 1174, 1178, 1632, 1635
v. Speer, 156 Ill. 244, 1175
v. Stewart, 41 Ill. App. 640, 515, 526
v. Stewart, 87 Ill. App. 446, 1850
v. Tretts, 96 Ind. 450, 1195, 1201
v. Wallace, 110 Ind. 114, 1166
v. Williamson, 3 Ind. App. 190, 471
v. Williamson, 104 Ind. 154, 1188
Wabash, &c., Co. v. Beers, 2 Black, 448, 806
v. East Lake Fork Dist., 134 Ill. 384, 790
Washmuth v. Electric Crane Co., 118 Mich. 275, 1278a
Wachtel v. East St. Louis, &c., Co., 77 Ill. App. 465, 1096cn
Waco Tap R. R. Co. v. Shirley, 45 Tex. 355, 502, 1058
Waddell's Appeal, 84 Pa. St. 90, 952, 961
Waddell v. Metropolitan, &c., St. R. Co., 113 Mo. App. 765, 1096bs, 1815
v. New York Cent., &c., R. Co., 98 App. Div. (N. Y.) 343, 1179d
Wade v. Chicago, &c., R. Co., 149 U. S. 327, 495, 500
v. Columbia Ele. St. R. Co., 51 S. Car. 296, 1801
v. Hamilton, 30 Ga. 450, 1427

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wade v. Hennessy, 55 Vt. 207, 934, 1025
v. Lutcher, &c., Co., 74 Fed. 517, 1393, 1573
v. Missouri Pac. R. Co., 78 Mo. 362, 1218
v. Thompson, 52 Miss. 367, 529
v. Walnut, 105 U. S. 1, 910
v. Wheeler, 3 Lans. 201, 1409
Wademan v Albany, &c., R. Co., 51 N. Y. 568, 1143
Wadesboro, &c., Co. v. Burns, 114 N. C. 353, 49
Wadhams v. Gay, 73 Ill. 415, 516
Wading v. Denison, &c., R. Co., 62 S. W. 97, 937
Wadleigh v. Standard, &c., Ins. Co., 76 Wis. 439, 655
Wadlington v. Newport News, &c., R. Co. (Ky.) 20 S. W. 783, 1702
Wadsworth v. St. Croix County, 4 Fed. R. 378, 861
v. Supervisors, 102 U. S. 544, 812, 819, 820, 842
v. Union Pac. R. Co., 18 Colo. 600, 666, 1181, 1182
Waechter v. St. Louis, &c., R. Co., 113 Mo. App. 270, 1816
Waehrle v. Minnesota, &c., Co., 82 Minn. 165, 1166a
Waeler v. Gt. Northern R. Co., 18 S. Dak. 420, 214
Waffle v. New York Cent. R. Co., 58 Barb. (N. Y.) 413, 977
v. Vanderheyden, 8 Paige (N. Y.), 45, 633
Wager v. Troy, &c., R. Co., 25 N. Y. 526, 630, 1045, 1049
Wagner v. Atchison, &c., R. Co., 9 Kan. App. 661, 1096bl
v. Boston, &c., R. Co., 188 Mass. 437, 1288a, 1301a, 1320
v. Brooklyn Heights R. Co., 69 App. Div. (N. Y.), 349, 1608
v. Chicago, &c., R. Co., 122 Ia. 360, 1260
v. Chicago, &c., R. Co., 124 Ia. 462, 1252
v. Cleveland, &c., R. Co., 22 Ohio St. 563, 998
v. Lehigh Traction Co., 61 Atl. 814, 1778
v. Loomis, 37 Ohio St. 571, 741
v. Meety, 69 Mo. 150, 872, 893
v. Missouri, &c., Co., 97 Mo. 512, 1629, 1645
v. National, &c., Ins. Co., 90 Fed. 395, 1377
v. New York, &c., R. Co., 38 Ohio St 32, 1045
v. Pittsburgh, &c., R. Co., 158 Pa. St. 419, 1096cc
v. Railway Co., 38 Ohio St. 32, 724
Wagner Free Inst. v. Philadelphia, 132 Pa. St. 612, 56, 57
Wagnon v. Houston, &c., R. Co., 89 S. W. 1112, 1314
Wagoner v. Wabash R. Co., 118 Mo. App. 239, 1589a
Waggoner v. Wabash R. Co., 185 Ill. 154, 400, 948
Wahl v. Holt, 26 Wis. 703, 1434
v. Shoulder (Ind. App.), 43 N. E. 458, 1642
Wait v. Albany, &c., Co., 5 Lans. 475, 303
v. Bennington, &c., R. Co., 61 Vt. 268, 1198
Wait v. Burlington, &c., R. Co., 74 Iowa, 207, 1185, 1200
v. Nashua, &c., Association, 66 N. H. 581, 283, 284
v. Omaha, &c., R. Co., 165 Mo. 612, 1629
v. Smith, 92 Ill. 385, 191
Waite, Re, 99 N. Y. 433, 555
Waite v. Northeastern Ry., El. Bl. & El. 719, 1126, 1313
v. Phœnix Ins. Co., 62 Fed. R. 769, 653, 654
v. Santa Cruz, 184 U. S. 302, 897
v. Santa Cruz, 89 Fed. 619, 881
v. Windham Co. Mining Co., 36 Vt. 18, 257, 266
Wakefield v. Connecticut, &c., R. Co., 37 Vt. 330, 1264
v. Fargo, 90 N. Y. 213, 186
v. Newell 12 R. I. 75, 977
v. South Boston R. Co., 117 Mass. 544, 1096da, 1599, 1602
Waland v. Elkins, 1 Starkie, 217, 1444
Walbert v. Trexler, 156 Pa. St. 112, 1303
Walbridge v. Board, 86 Pac. 473, 796
v. Cabot, 67 Vt. 114, 1019, 1025
Walcott v. Watson, 46 Fed. R. 529, 651
Wald v. Louisville, &c., R. Co., 92 Ky. 645, 1651, 1652, 1660
v. Pittsburgh, &c., R. Co., 60 Ill. App. 460, 1660
v. Pittsburgh, &c., R. Co., 162 Ill. 545, 1455, 1457a, 1651
Waldele v. New York, &c., R. Co., 95 N. Y. 274, 218, 220
Waldhier v. Hannibal, &c., Ry. Co., 87 Mo. 37, 1310
v. Hannibal, &c., R. Co., 71 Mo. 514, 1628, 1689c, 1689d, 1696, 1702
Waldie v. Brooklyn Heights R. Co., 78 App. Div. (N. Y.) 557, 1812
Waldo, The, Davies (U. S. C. C.), 161, 1423
Waldo v. Chicago, &c., R. Co., 14 Wis. 575, 127, 128, 374, 390
Waldoborough v. Knox, &c., R. Co., 84 Me. 469, 440, 441
Waldron v. Canadian, &c., R. Co., 22 Wash. 253, 1570
v. Chicago, &c., R. Co., 1 Dak. 351, 1406, 1524, 1577, 1649, 1659
v. Fargo, 170 N. Y. 130, 1423
v. Portland, &c., R. Co., 35 Me. 422, 1200, 1214
v. Rensselaer, &c., R. Co., 8 Barb. (N. Y.) 390, 670b
v. Romaine, 22 N. Y. 368, 1426
v. Toledo, &c., R. Co., 55 Mich. 420, 421
v. Waldron, 156 U. S. 361, 1704
Waldrop v. Greenwood, &c., Co., 28 S. Car. 157, 218
Wales v. Muscatine, 4 Iowa, 302, 709
v. Pacific, &c., Co., 130 Cal. 521, 1378a
Walger v. Kansas City, &c., R. Co., 71 N. J. L. 356, 1096cs
Walk v. Rochester R. Co., 92 Hun (N. Y.), 581, 1096de
Walker, Ex parte, 25 Ala. 81, 540
Walker v. Anglo-American, &c., Co., 72 Hun (N. Y.), 334, 13a
v. Birch, 6 T. R. 258, 1494
v. Birchard, 82 Iowa, 388, 282

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Walker v. Boston, &c., R. Co., 3 Cush. 1, 978, 1017, 1019
v. Boston, &c., R. Co., 128 Mass. 8, 1276, 1324, 1333a
v. Boston, &c., R. Co., 71 N. H. 271, 1816
v. Burt, 57 Ga. 20, 684
v. Cassaway, 4 La. Ann. 19, 1451
v. Chicago, &c., R. Co., 57 Mo. 275, 1049, 1055
v. Chicago, &c., R. Co., 71 Iowa, 658, 1309
v. Cincinnati, 21 Ohio St. 14, 1, 814, 817, 818, 826
v. Crain, 17 Barb. (N. Y.) 119, 182, 187
v. Detroit Transit, &c., Co., 47 Mich. 338, 78, 79, 97, 287
v. Detroit, &c., R. Co., 49 Mich. 446, 626, 1426, 1538, 1539
v. Devereaux, 4 Paige Ch. (N. Y.), 229, 19, 107, 634
v. Dist. of Columbia, 6 Mackey, 352, 783
v. Eastern, &c., R. Co., 6 Hare, 594, 422
v. Erie, &c., R. Co., 63 Barb. 260, 1589, 1696, 1808, 1827
v. First National Bank, 43 Ore. 102, 1428
v. Fuller, 29 Ark. 448, 1828
v. Great Western R. Co., L. R. 2 Exch. 228, 222
v. Flint, 7 Fed. R. 435, 553
v. Green, 60 Kan. 289, 1632
v. Hannibal, &c., Co., 121 Mo. 575, 214, 1256
v. Illinois Cent. R. Co., 215 Ill. 610, 938
v. Jackson, 10 M. & W. 161, 1491
v. Joseph, &c., Co., 47 N. J. Eq. 342, 96
v. Keenan, 73 Fed. R. 755, 1551, 1566
v. Lake Shore, &c., R. Co. (Mich.) 62 N. W. 1032, 1378
v. London, &c., R. Co., L. R. 1 C. P. D. 518, 1062
v. Louisville, &c., R. Co., 111 Ala. 233, 1705
v. Mad River, &c., R. Co., 8 Ohio St. 38, 920
v. Maitland, 5 Barn. & Ald. 171, 1509
v. McNeill, 17 Wash. 582, 1288a
v. Mobile, &c., R. Co., 34 Miss. 245, 107, 127, 128, 130
v. Montclair, &c., R. Co., 30 N. J. Eq. 525, 534
v. O'Connell, 59 Kan. 306, 16891
v. Old Colony, &c., R. Co., 103 Mass. 10, 976, 977, 995
v. Philadelphia, 195 Pa. St. 168, 1820
v. Potomac, &c., R. Co., 53 S. E. 113, 1259
v. Price, 62 Kan. 327, 1593, 1594a
v. Railroad Co., 128 Mass. 8, 1318
v. Redington, &c., Co., 86 Me. 191, 1314
v. St. Paul City R. Co., 81 Minn. 404, 1096ce
v. Second Ave. R. Co., 27 N. Y. St. 961, 1822
v. Southern R. Co., 76 S. Car. 308, 1722, 1738
v. State, 97 Ga. 350, 730
Walker v. Southeastern R. Co., 23 L. T. R. (C. P.) 14, 1265
v. Southeastern R. Co., 39 L. J. C. P. 346, 1638
v. Talbot (Mo. Sup.), 27 S. W. 366, 52
v. Tarrant County, 20 Tex. 16, 824
v. United States, 4 Wall. (U. S.) 163, 648
v. Vicksburg, &c., R. Co., 41 La. Ann. 795, 1628
v. Wabash, 15 Mo. App. 333, 1595, 1599
v. Walker, 5 Heisk. (Tenn.) 425, 1530
v. Ware, &c., R. Co., 35 L. J. Eq. 94, 1048
v. Wheeler, 2 Conn. 299, 945
v. Wilmington, &c., R. Co., 26 S. C. 80, 192, 526
v. New York, &c., R. Co., 23 L. J. Q. B. 73, 1407
Walkinson v. Wrexham, &c., R. Co., 3 Nev. & Mac. 446, 1686
Wall v. Atlantic Coast Line R. Co., 71 S. Car. 337, 1662a
v. Helena St. R. Co., 12 Mont. 44, 1095, 1096cd
v. Norfolk, &c., R. Co., 52 W. Va. 485, 520, 624, 1664, 1665, 1673
v. Platt, 169 Mass. 398, 576, 1341
Walla Walla v. Walla Walla Water Co., 172 U. S. 1, 1096s
Walla Walla, &c., Bank v. Hungate, 62 Fed. R. 548, 752
Wallace v. Ann Arbor Elec. R. Co., 121 Mich. 588, 1096bl
v. Bacon, 86 Fed. 553, 132
v. Baltimore, &c., R. Co., 65 Atl. 665, 1567a
v. Bank, 89 Tenn. 630, 222
v. Boston, &c., R. Co., 72 N. H. 504, 1280, 1322, 1795
v. Central, &c., R. Co., 138 N. Y. 302, 1271, 1314, 1797
v. Chicago, &c., R. Co., 67 Iowa, 547, 1377
v. City, &c., R. Co., 26 Ore. 174, 1095, 1253
v. Clayton, 42 Ga. 443, 1455
v. Columbia, &c., R. Co., 34 S. Car. 62, 1057d
v. Detroit City R. Co., 58 Mich. 231, 1082, 1094, 1096ap
v. Great Western R. Co., 3 Ont. App. 44, 362
v. Lake Shore, &c., R. Co., 133 Mich. 633, 1548, 1548b
v. Lincoln, &c., Bank, 89 Tenn. 630, 266, 318
v. Long Island R. Co., 12 Hun (N. Y.), 460, 337
v. Loomis, 97 U. S. 146, 34, 323, 566, 580, 589, 590
v. Matthews, 39 Ga. 617, 1423
v. New York, &c., R. Co. (Mass.) 42 N. E. 1125, 1170, 1261
v. North Alabama Traction Co., 40 So. 89, 16891, 1782
v. Pierce-Wallace Pub. Co., 101 Ia. 313, 550
v. Rosenthal, 40 Ga. 419, 1452
v. Sanders, 42 Ga. 486, 1417
v. Scoggins, 17 Am. St. 752, 410
v. Standard Oil Co., 66 Fed. R. 260, 1283, 1318

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wallace v. The Natchez, 31 Fed. R. 615, 1543
v. Third Ave. R. Co., 36 App. Div. (N. Y.) 57, 1096cs
v. Townsend, 43 Ohio St. 537, 113
v. Vigus, 4 Blkf. (Ind.) 260, 1419, 1725
v. Walsh, 125 N. Y. 26, 244
v. Western, &c., R. Co., 98 N. Car. 494, 1163, 1582, 1629, 1663
v. Wilmington, &c., R. Co., 8 Houst. (Del.) 529, 1588, 1590, 1595, 1800
v. Woodgate, Ryan & M. 193, 1572
Wallach v. New York, &c., R. Co., 111 App. Div. (N. Y.) 273, 994a
Waller v. Hannibal, &c., R. Co., 83 Mo. 608, 1689l
v. Missouri, &c., R. Co., 59 Mo. App. 410, 1641
v. Missouri, &c., R. Co., 1 Mo. App. 56, 1590
v. Southeastern, &c., R. Co., 2 H. & C. 102, 1288, 1317
v. Wilmington City R. Co., 61 Atl. 874, 1096cs, 1096cy, 1815
Valley v. Montgomery, 3 East, 585, 1426, 1429
Walling v. Congaree, &c., R. Co., 41 So. Car. 388, 1268
v. Michigan, 116 U. S. 446, 1670, 1671
v. Miller, 108 N. Y. 173, 537, 574
Wallingford v. Columbia, &c., R. Co., 26 S. Car. 258, 1446, 1449, 1457, 1478, 1516, 1548, 1551, 1718
Walkill Valley R. Co. v. Norton, 12 Abb. Pr. (N. S.) 317, 1020
Wall Street, In re, 17 Barb. (N. Y.) 617, 985
Wallworth v. Holt, 4 Mylne & Cr. 619, 167
Wally's Heirs v. Kennedy, 2 Yerg. 554, 669
Walnut v. Wade, 103 U. S. 683, 486, 487, 881
Walpole v. Bridges, 5 Blackf. (Ind.) 222, 1425, 1481
Walrath v. Champion, &c., Co., 63 Fed. R. 552, 297
Walsenburg, &c., Co. v. Moore, 5 Colo. App. 144, 283
Walser v. Memphis, &c., R. Co., 19 Fed. R. 152, 183
v. Seligman, 21 Blatch. (U. S.) 130, 179, 182
Walsh v. Barton, 24 Ohio St. 28, 378, 497
v. Boston, &c., R. Co., 171 Mass. 52, 1374
v. Chicago, &c., R. Co., 42 Wis. 23, 1577, 1693
v. Fitchburg R. Co., 145 N. Y. 301, 1250, 1259
v. Mathews, 29 Cal. 123, 782
v. Missouri, &c., R. Co., 102 Mo. 582, 1263, 1701, 1792
v. New York & Brooklyn Bridge, 96 N. Y. 427, 16
v. New York, &c., R. Co., 160 Mass. 571, 1366
v. New York City R. Co., 93 N. Y. S. 552, 1738
v. Oregon, &c., R. Co., 10 Ore. 250, 1163
v. Raymond, 58 Conn. 251, 576
Walsh v. St. Paul, &c., R. Co., 71 Mo. 164, 1269
v. St. Paul, &c., R. Co., 27 Minn. 367, 1313
v. Sexton, 55 Barb. (N. Y.) 251, 97
v. Virginia, &c., R. Co., 8 Nev. 110, 1190, 1214
v. Whiteley, L. R. 21 Q. B. Div. 371, 1277, 1288, 1302, 1349
v. Yonkers R. Co., 114 App. Div. (N. Y.) 797, 1831
Walshfield v. Railroad Co., 37 Vt. 330, 1158
Walstab v. Spottiswoode, 15 Mees. & W. 501, 14
Waltemeyer v. Wisconsin, &c., R. Co., 71 Iowa, 626, 961, 1049g, 1057, 1063
Walter A. Wood Harvester Co. v. Robbins, 56 Minn. 48, 109
Walter v. Merced Academy, 126 Cal. 582, 103
Walters v. Anglo-American, &c., Co., 50 Fed. R. 316, 286, 559, 586
v. Chicago, &c., R. Co., 36 Iowa, 438, 1375
v. Chicago, &c., R. Co., 41 Iowa, 71, 1262, 1378
v. Chicago, &c., R. Co., 104 N. W. 1066, 1387, 1387a
v. Chicago, &c., R. Co., 113 Wis. 367, 1628
v. Chicago, &c., R. Co., 104 Fed. 377, 28
v. Chicago, &c., R. Co., 187 U. S. 479, 649
v. Detroit United R. Co., 139 Mich. 303, 1527a
v. Western, &c., R. Co., 63 Fed. 391, 1429a
Walters' Second Case, 3 DeG. & Sm. 244, 95
v. Western, &c., R. Co., 56 Fed. R. 369, 1429
Walther v. Chicago, &c., R. Co., 215 Ill. 456, 1056a, 1057j
v. Pacific R. Co., 55 Mo. 271, 1259
v. Warner, 25 Mo. 277, 986, 1050
Walthers v. Missouri, &c., R. Co., 78 Mo. 617, 1185
Walton, Ex parte, 26 L. J. Ch. 545, 259
Walton v. Green Bay, &c., R. Co., 70 Wis. 414, 1000, 1049e
v. New York, &c., Co., 139 Mass. 556, 214, 215, 1256
v. Oliver, 49 Kan. 107, 190
v. Riley, 85 Kan. 413, 18, 555
v. St. Louis, &c., R. Co., 67 Mo. 56, 1154
Walworth County Bank v. Farmers', &c., Co., 14 Wis. 325, 285
Wamesit, &c., Co. v. Allen, 120 Mass. 352, 1055
Wampach v. St. Paul, &c., R. Co., 21 Minn. 364, 1049b
Wandell v. Corbin, 17 N. Y. S. 718, 1578
Wanderer, The, 29 Fed. R. 260, 1423
Wankson, &c., R. Co. v. Dwyer, 49 Ia. 121, 155
Wanless v. Northeastern R. Co., L. R. 7 H. L. Cas. 12, 711
v. Northeastern R. Co., L. R. 6 Q. B. 481, 711, 1155

Digitized by Google

[References are to Sections—Vol. I, §§ 1–656a; Vol. II, §§ 657–1075; Vol. III, §§ 1076–1390; Vol. IV, §§ 1391–1851.]

Wapello v. Burlington, &c., Co., 44 Iowa, 585, 369, 873
Warax v. Cincinnati, &c., R. Co., 72 Fed. 637, 1689a
Warburton v. Great Western R. Co., L. R. 2 Exch. 30, 1063
Ward v. Bonner, 80 Tex. 168, 1270, 1634
v. Brigham, 127 Mass. 24, 10
v. Carson River, &c., Co., 13 Nev. 14, 1239
v. Central Park, &c., R. Co., 33 N. Y. Sup. Ct. 1 J. & S. 392, 1096cz
v. Chicago, &c., R. Co. (Minn.) 63 N. W. 1104, 1239
v. Chicago, &c., R. Co., 97 Ia. 50, 1158
v. Chicago, &c., R. Co., 85 Wis. 601, 1792
v. Chicago, &c., R. Co., 102 Wis. 215, 1630
v. Davidson, 89 Mo. 445, 271, 274
v. Felton, 1 East, 507, 1559
v. Flood, 48 Cal. 36, 1668
v. Griswoldville, &c., Co., 16 Conn. 539, 146, 182
v. Joslin, 186 U. S. 142, 180
v. Kitchen, 30 N. J. Eq. 31, 94
v. Maine Cent. R. Co., 96 Me. 136, 1256, 1264, 1689g
v. Mfg. Co., 16 Conn. 593, 548
v. Marshalltown, &c., R. Co. (Ia.) 108 N. W. 323, 1096br, 1168
v. Maryland, 12 Wall. 418, 1665
v. Metropolitan St. R. Co., 99 App. Div. (N. Y.) 126, 1840
v. Minnesota, &c., R. Co., 119 Ill. 287, 957, 961, 1027
v. Missouri Pac. R. Co., 158 Mo. 226, 1504, 1512
v. Montclair R. Co., 26 N. J. Eq. 260, 529
v. New England Fibre Co., 154 Mass. 419, 1239
v. New York, &c., R. Co., 47 N. Y. 29, 1730, 1731
v. Ohio River R. Co., 35 W. Va. 481, 630
v. Paducah, &c., R. Co., 4 Fed. R. 862, 1198
v. Polk, 70 Ind. 309, 276
v. Richmond, &c., R. Co., 43 Fed. R. 422, 1164
v. Rochester, &c., R. Co., 17 N. Y. Supp. 427, 1095
v. St. Louis, &c., R. Co., 91 Mo. 168, 1201
v. Salem St. R. Co., 108 Mass. 332, 274, 276
v. Sea, &c., Co., 7 Paige, 294, 248, 609
v. Southern Pac. R. Co., 25 Ore. 433, 1154, 1253, 1257
v. Swift, 6 Hare (Eng.), 309, 568
Ward's, &c., Co. v. Elkins, 34 Mich. 439, 1691
Wardell v. Railroad Co., 103 U. S. 651, 250, 275, 276
v. Union Pac. R. Co., 4 Dill. (U. S.) 330, 1058
v. Union Pac. R. Co., 103 U. S. 651, 11, 275
Warden v. Board, 14 Wis. 672, 751
v. Greer, 6 Watts, 424, 1481
v. Louisville, &c., R. Co., 94 Ala. 277, 1782, 1314
Warden v. Old Colony, &c., R. Co., 137 Mass. 204, 1271
Wardens v. Cope, 2 Ired. (N. Car.) 44, 713
Wardlaw v. South Carolina, &c., R. Co., 11 Rich. L. 337, 1711
Wardner v. Great Northern R. Co., 104 N. W. 1084, 1179b
Ward's Cent. & P. Lake Co. v. Elkins, 34 Mich. 439, 1729
Wardwell v. Chicago, &c., R. Co., 46 Minn. 514, 1603, 1637
Ware v. Barataria, &c., Co., 15 La. 169, 1638
v. Gowen, 65 Me. 534, 627
v. Grand Junction R. Co., 2 Russ. & M. 470, 275, 376
v. Regent's, &c., Co., 3 De Gex & J. 212, 376, 479, 631
v. Regent's Canal Co., 28 L. J. Ch. 153, 450
v. St. Paul Water Co., 1 Dill. (U. S.) 405, 1801
v. Supreme Sitting (N. J.), 28 Atl. 1041, 555
v. Willis, 45 Ala. 120, 1096am
Warfield v. Marshall, &c., Co., 72 Iowa, 666, 485, 604
Waring v. Catawba Co., 2 Bay (S. C.), 109, 170
v. Cox, 1 Camp. 369, 1541
v. Manchester, &c., R. Co., 7 Hare, 482, 936, 1062
v. Mayor, 8 Wall. 110, 1665
Warmington v. Atchison, &c., R. Co., 46 Mo. App. 159, 1288
Warn v. New York, &c., R. Co., 80 Hun, 71, 1288
Warner v. Baltimore, &c., R. Co., 31 Ohio St. 265, 1181
v. Burlington, &c., R. Co., 22 Iowa, 166, 1656
v. Callender, 20 Ohio St. 190, 36, 121
v. Chicago, &c., R. Co., 1 Mo. App. 490, 1314
v. Littlefield, 89 Mich. 329, 603
v. Mower, 11 Vt. 385, 164, 262, 602
v. New York, &c., R. Co., 44 N. Y. 465, 1096ck, 1158, 1160, 1309, 1701
v. New York, &c., R. Co., 3 Interst. Com. 74, 1678
v. New York, &c., R. Co., 4 I. C. C. 32, 1678a
v. People's St. R. Co., 141 Pa. St. 615, 1093, 1095
v. Railroad Co., 39 Ohio St. 70, 1049
v. Rising Fawn, &c., Co., 3 Woods (U. S.), 514, 487, 546
v. Western R. Co., 94 N. Car. 250, 1697
v. West T. Co., 5 Rob. (N. Y.) 490, 1421
Warrell v. Wheeling, &c., R. Co., 130 Pa. St. 600, 1000
Warren, In re, 11 N. Y. Supp. 787, 307
Warren v. Bangor, &c., R. Co., 95 Me. 115, 1096cj
v. Booth, 53 Iowa, 742, 626
v. Booth, 51 Iowa, 215, 626
v. Boston, &c., R. Co., 163 Mass. 484, 1817
v. Bunnell, 11 Vt. 600, 952
v. Chicago, &c., R. Co., 113 Mo. App. 498, 1288

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Warren v. City Elec. R. Co., 141 Mich. 298, 1700
v. Davenport Fire Insurance Co., 31 Iowa, 464, 168
v. Englehart, 13 Neb. 283, 1359 1372
v. First Division St. Paul, &c., R. Co., 18 Minn. 384, 950, 1010, 1053
v. First Div. of St. Paul, &c., R. Co., 21 Minn. 424, 1006
v. First Nat. Bank, 149 Ill. 9, 27, 599, 601
v. Fitchburg, &c., R. Co., 8 Allen, 227, 1096cb, 1579, 1589, 1590, 1628
v. Kansas, &c., R. Co., 41 Iowa, 484, 1183
v. Keokuk, &c., R. Co., 41 Ia. 484, 1188
v. King, 108 U. S. 389, 81, 83, 85
v. Manchester St. R. Co., 70 N. H. 352, 1096cd
v. Marcy, 97 U. S. 96, 484, 882, 897, 898, 901, 903
v. Mobile, &c., R. Co., 49 Ala. 582, 334, 339
v. Para, &c., Co., 166 Mass. 97, 44 N. E. 112, 282
v. Pin, (N. J. L.) 59 Atl. 773, 157, 159
v. Spencer Water Co., 143 Mass. 9, 1055
v. Union Nat. Bank, 7 Phila. 156, 555, 570
Warren Adams, The, 163 U. S. 679, 1516
Warren R. Co. v. State, 29 N. J. Law. 353, 1099, 1105
Warren, &c., Co. v. Aetna, &c., Co., 2 Paine, 501, 264
Warrier v. Western, &c., R. Co., 94 N. Car. 250 1359
Warter v. Forty Second St. R. Co., 50 N. Y. 203, 1096al
Warwick, &c., Co. v. Birmingham, &c., Co., 5 L. R. Exch. Div. 1, 1686
Wasatch, &c., Co. v. Jennings, 5 Utah, 243, 535
Washburn v. Chicago, &c., R. Co., 68 Wis. 474, 1176
v. Milwaukee, &c., R. Co., 59 Wis. 364, 987, 988, 989, 994, 1036, 1038, 1040, 1053
v. Nashville, &c., R. Co., 3 Head. (Tenn.) 638, 212, 213, 215, 283, 297, 1303, 1321, 1322, 1604, 1631, 1645
Washburn-Crosby Co. v. Boston, &c., R. Co., 180 Mass. 252, 1449
Washburn Mill Co. v. Bartlett, 3 N. Dak. 138, 375
Washburn, &c., Co. v. Providence, &c., R. Co., 113 Mass. 490, 1435, 1445
Washington v. Baltimore, &c., R. Co., 17 W. Va. 190, 1205, 1206
v. Emery, 4 Jones Eq. (N. Car.) 32, 94
v. Louisville, &c., R. Co., 34 Ill. App. 658, 1376
v. Raleigh, &c., R. Co., 101 N. Car. 239, 1445
v. Spokane, &c., R. Co., 13 Wash. 9, 1402, 1589
Washington Bank v. Lewis, 22 Pick. (Mass.) 24, 226, 268
Washington Bridge Co. v. Land, &c., Co. (Wash.) 40 Pac. 982, 1059
Washington Cemetery v. Prospect, &c., R. Co., 68 N. Y. 591, 972, 1049
Washington Ice Co. v. Lay, 103 Ind. 48, 1028
Washington Imp. Co. v. Kansas Pacific R. Co., 5 Dill. (U. S. C. C.) 489, 646
Washington Mill Co. v. Sprague Lumber Co., 19 Wash. 165, 379
Washington St., Matter of, 38 N. Y. St. 346, 1029a
Washington St. R. Co., In re, 52 Hun (N. Y.), 311, 1096bl
Washington, &c., Ry. Co., In re, 115 N. Y. 442, 6, 322a, 1096bg, 1096bt
Washington, &c., R. Co. v. Alexandria, &c., R. R., 19 Gratt. (Va.) 592, 535
v. American Car Co., 5 App. Cas. (D. C.) 524, 1058
v. Baltimore & Ohio R. Co., 10 Gill & J. 392, 32
v. Brown, 17 Wall. 445, 359, 473
v. Cazenove, 83 Va. 744, 908
v. Coeur D'Alene, &c., R. Co., 2 Ida. 991, 1614
v. Coeur D'Alene, &c., R. Co., 160 U. S. 77, 920, 927, 957
v. Coeur D'Alene, &c., R. Co., 60 Fed. R. 981, 766, 929
v. Dashiell (D. C. App.), 24 Wash. L. 40, 1817
v. Dist. of Columbia, 108 U. S. 522, 1096aj
v. Harmon, 147 U. S. 571, 1096cy, 1628, 1637, 1800
v. Hickley, 12 App. Cas. (D. C.) 269, 1096ck, 1822
v. Lacey, 94 Va. 460, 1164, 1165, 1166, 1179b
v. McDade, 135 U. S. 554, 1273, 1288
v. McLane, 11 App. (D. C.) 220, 1689i
v. Northern Pac. R. Co., 2 Idaho, 513, 796
v. State, 18 Conn. 53, 664
v. State, 19 Md. 239, 52
v. Switzer, 26 Gratt. (Va.) 661, 1035a, 1039, 1044
Wasley v. Chicago, &c., R. Co., 147 Fed. 608, 649
Wasmer v. Delaware, &c., R. Co., 80 N. Y. 212, 459, 473, 1092, 1112, 1176, 1237
Wasti v. Montana Union R. Co., 24 Mont. 159, 1829
Water Co. v. Flash, 97 Cal. 610, 11
Water, &c., Co. v. Hutchison Interurban R. Co., 87 Pac. 883, 877
Waterbury's Appeal, 57 Conn. 84. 1109
Waterbury v. Chicago, &c., R. Co., 104 Ia. 32, 1641
v. Dry Dock, &c., R. Co., 54 Barb. (N. Y.) 388, 1083, 1096z
v. Merchants', &c., Co., 50 Barb. 157, 524
v. New York, &c., Co., 21 Blatchf. 314, 210

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Waterbury v. New York, &c., R. Co., 17 Fed. R. 671, 1255, 1608, 1632, 1643
v. Platt, 75 Conn. 387, 955
Water Comrs., In re, 31 N. J. Law, 72, 1031
Water Comrs. v. City of Hudson, 13 N. J. Eq. 420, 1082
v. Lawrence, 3 Edw. Ch. (N. Y.) 552, 930
Waterford, &c. v. People, 9 Barb. 161, 709
Waterford, &c., R. Co. v. Dalbiac, 20 L. J. Exch. 227, 19
v. Pidcock, 8 Exchq. 279, 108, 157
Waterhouse v. Comer, 55 Fed. R. 149, 575, 633
Waterloo, &c., Transit Co. v. Board, Ia. 108 N. W. 316, 1096bd
Waterman v. Buck, 58 Vt. 519, 1049
v. Chicago & I. R. Co., 139 Ill. 658, 243, 247, 248, 272
v. Chicago, &c., R. Co., 82 Wis. 613, 1815, 1826
v. Connecticut, &c., R. Co., 30 Vt. 610, 1115
v. Troy, &c., R. R. Co., 8 Gray (Mass.), 433, 86
Waters v. Bay View, 61 Wis. 642, 977
v. Lilley, 4 Pick. (Mass.) 145, 947
v. Merchants', &c., Ins. Co., 11 Pet. (U. S.) 213, 1500
v. Richmond, &c., R. Co., 110 N. Car. 338, 1694
Waters-Pierce Oil Co. v. United States, &c., Trust Co., 99 S. W. 212, 1068, 1069, 1072
Watertown v. Mayo, 109 Mass. 315, 950
Watertown F. Ins. Co. v. Simmons, 131 Mass. 85, 232
Water Valley, &c., Co. v. Seaman, 53 Miss. 655, 106, 150
Water Works v. Schottler, 110 U. S. 347, 770
Water Works Co. v. Burkhart, 41 Ind. 364, 950, 952, 963, 972
Watler v. Chicago, &c., R. Co., 31 Minn. 91, 1190
Watkin v. West Phila. R. Co., 1 Pa. Dist. R. 463, 1080
Watkins v. Atlantic Ave R. Co., 20 Hun (N. Y.), 237, 1178
v. Birmingham R. &c., Co., 120 Ala. 147, 1628c
v. Great Western R. Co., 46 L. J. C. P. 817, 1256
v. Hill, 8 Pick. (Mass.) 522, 527
v. Iowa Cent. R. Co., 123 Ia. 390, 937
v. Paine, 57 Ga. 50, 1426
v. Pennsylvania, &c., R. Co., 21 D. C. 1, 200, 1596
v. Pennsylvania R. Co., 52 Am. & Eng. R. R. Cas. 159, 200
v. Rymill, L. R. 10 Q. B. D. 178, 1624, 1627
v. St. Louis, &c., R. Co., 44 Mo. App. 245, 1439
v. Union Trac. Co., 194 Pa. St. 564, 1096cj
Watkins National Bank v. Cleveland, &c., R. Co., 117 Mo. App. 248, 1419
Watkinson v. Langton, 8 Johns. (N. Y.) 213, 1734
v. Wrexam, &c., R. Co., 3 Nev. & Mac. 5, 1678
Watson v. Acquackanonck Water Co., 36 N. J. L. 195, 960, 970
Watson v. Albany, &c., R. Co., 111 Ga. 10, 531
v. Ambergate R. Co., 15 Jurist, 448, 1437
v. Ambergate R. Co., 3 H. & C. 771, 1435
v. Chicago, &c., R. Co., 46 Minn. 321, 947, 949
v. Eales, 23 Beav. 294, 153
v. Fairmount, &c., R. Co., 49 W. Va. 528, 979
v. Harlem, &c., Co., 52 How. Pr. (N. Y.) 348, 328
v. Hoosac Tunnel Line, 18 Mo. App. 263, 1426
v. Houston, &c., R. Co., 58 Tex. 434, 1296a
v. Kansas, &c., Co., 52 Mo. App. 366, 1302
v. Memphis, &c., R. Co., 9 Heisk. 255, 1454, 1462
v. Milwaukee, &c., R. Co., 57 Wis. 332, 994, 1006, 1036, 1053
v. Milwaukee, &c., R. Co., 46 Minn. 321, 947
v. Molden, 10 Idaho, 570, 79
v. Mound City St. R. Co., 133 Mo. 246, 1096cj, 1168
v. New York Central R. Co., 47 N. Y. 157, 963, 1025
v. New York Central R. Co., 6 Abb. (N. Y.) Pr. N. S. 91, 1023
v. North British, &c., R. Co., 3 Scotch. Sess. Cas. (4th series) 637, 1397
v. Northern, &c., R. Co., 24 U. C. Q. B. 98, 1631
v. Pittsburgh, &c., R. Co., 37 Pa. St. 469, 995, 1005, 1038
v. Portland, &c., R. Co., 91 Me. 584, 1096cz
v. Railroad Co., 92 Ala. 320, 1592
v. Railroad Co., 104 Tenn. 194, 1597
v. St. Paul, &c., R. Co., 42 Minn. 46, 1096cb, 1402
v. Sutherland, 5 Wall. 74, 479
v. Tarpley, 18 How. (U. S.) 137, 1663
v. Tripp, 11 R. I. 98, 1092
v. Van Meter, 43 Ia. 76, 1057d
v. Wellington, 1 Rus. & Myl. 602, 502
Watt v. Nevada Cent. R. Co., 23 Nev. 154, 1224, 1226, 1239, 1799
v. Porter, 2 Mason (U. S. C. C.), 77, 1525
Watts v. Boston & L. R. Co., 106 Mass. 481, 1409
v. Boston Towboat Co., 161 Mass. 378, 1346
v. Camors, 115 U. S. 353, 1494
v. Derry, 22 N. H. 498, 1038
v. Hart, 7 Wash. 178, 1268, 1277, 1296
v. Norfolk, &c., R. Co., 39 W. Va. 196, 937, 1057
v. Richmond, &c., R. Co., 89 Ga. 277, 1252
v. South Bound R. Co., 60 S. Car. 67, 1798, 1801
Waukon, &c., R. Co. v. Dwyer, 49 Iowa, 121, 133
Wausau, &c., Co. v. Plumer, 35 Wis. 274, 170
Waverly v. Auditor, 100 Ill. 354, 873
Waverly Water Works, Matter of, 85 N. Y. 478, 1031

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Waxahatchie v. Connor, 35 S. W. 693, 1804
Way v. American, &c., Co., 60 N. J. Eq. 263, 87
v. Chicago, &c., R. Co., 73 Iowa, 463, 1589
v. Chicago, &c., R. Co., 64 Iowa, 48, 1599, 1601, 1696
Wayauwega v. Ayling, 99 U. S. 112, 881
Waycross, &c., R. Co. v. Offerman, &c., R. Co., 109 Ga. 827, 41, 927a
Wayland v. County Commissioners, 4 Gray (Mass.), 500, 953
v. Mosely, 5 Ala. 430, 1419, 1423
Wayne County v. Delaware, &c., Co., 15 Pa. St. 351, 750
Wayne County, &c., Bank v. Supervisors, 97 Mich. 630, 918
Wayne Pike Co. v. Hammons, 129 Ind. 368, 233, 276, 293, 538, 547, 550
v. State, 134 Ind. 672, 537, 572
Wayne, &c., Inst. v. Smith 36 Barb. (N. Y.) 576, 105
Wead v. Omaha, 102 N. W. 67, 752
v. St. Johnsbury, &c., R. Co., 64 Vt. 52, 1091, 1112
Wear v. Jacksonville, &c., R. Co., 24 Ill. 594, 140
Weare v. Fitchburg, 110 Mass. 334, 1173
Weatherford, &c., R. R. Co. v. Granger, 86 Tex. 350, 14, 352, 353
v. Wood, 88 Tex. 191, 1611
Weathersfield v. Humphy, 20 Conn. 218, 966
Weaver v. Ann Arbor R. Co., 139 Mich. 590, 1605
v. Baltimore, &c., R. Co., 21 D. C. 499, 1373
v. Barden, 49 N. Y. 286, 79
v. Gregg, 6 Ohio St. 547, 1025
v. Mississippi, &c., Boom Co., 28 Minn. 534, 977
v. Southern R. Co., 76 S. Car. 49, 1793
v. Templin, 113 Ind. 298, 1021
Webb v. Atlantic Coast Line R. Co., 76 S. Car. 193, 1662a
v. Baltimore, &c., R. Co., 41 Md. 583, 106
v. Baltimore, &c., R. Co., 77 Md. 92, 113, 117
v. Burlington, 28 Vt. 188, 308
v. Commissioners, L. R. 5 Q. B. 642, 484, 485, 898
v. Denver, &c., R. Co., 7 Utah, 17, 1378
v. Direct L. & P. R. Co., 9 Hare, 129, 353, 422, 935
v. Direct London, &c., R. Co., 1 DeG., M. & G. 521, 935
v. Earle, L. R. 20 Eq. 556, 83, 304
v. East Tennessee, &c., R. Co., 88 Tenn. 119, 1376
v. Gilman, 80 Me. 177, 1801
v. Lafayette County, 67 Mo. 353, 849
v. Manchester, &c., 4 Mylne & Craig, 116, 341, 970, 973
v. Metropolitan, &c., R. Co., 89 Mo. App. 604, 1804
v. Portland, &c., Co., 3 Sumner (U. S.), 189, 632
v. Portland, &c., R. Co., 57 Me. 117, 477, 1155, 1572
v. Railway Co., 88 Tenn. 119, 1376
Webb v. Richmond, &c., R. Co., 97 N. Car. 387, 1329
v. Ridgely, 38 Md. 364, 174, 634
v. Rome, &c., R. Co., 49 N. Y. 420, 1221, 1226, 1231, 1243, 1243a
v. Tulchire, 3 Ired. (N. Car.) Law, 485, 382
v. Vermont, &c., R. Co., 9 Fed. R. 793, 508
Webber v. Eastern R. Co., 2 Metc. (Mass.) 147, 996, 1036, 1037, 1038
v. Great Western R. Co., 3 H. & C. 771, 303
v. Humphreys, 5 Dill. (U. S. C. C.) 223, 646
v. Merrill, 34 N. H. 202, 1041
v. Piper, 109 N. Y. 496, 1321
v. Virginia, 103 U. S. 344, 1665, 1668, 1670
Weber v. Atchison, &c., R. Co., 54 Kan. 389, 1169, 1172, 1179h
v. Baessler, 3 Colo. App. 459, 1543
v. Fickey, 52 Md. 500, 267
v. Kansas City, &c., R. Co., 100 Mo. 194, 1096cb, 1096cy, 1702
v. Metropolitan St. R. Co., 22 App. Div. 628, 1096cu
v. Morris, &c., R. Co., 35 N. J. L. 409, 1234
v. New York, &c., R. Co., 58 N. Y. 451, 1156, 1157, 1171
v. Southern R. Co., 65 S. Car. 356, 1603
v. Travlers' Ins. Co., 45 Fed. R. 657, 648
v. Winona, &c., R. Co. (Minn.) 65 N. W. 93, 1241
Weber Co. v. Chicago, &c., R. Co. (Iowa) 60 N. W. 637, 1649
Weblin v. Ballard, L. R. 17 Q. B. D. 122, 1345, 1358
Webster's Argument, 9 Wheat. 9, 1671
Webster v. Fitchburg, &c., R. Co., 161 Mass. 298, 1578, 1579
v. Holland, 58 Me. 168, 1025
v. Kansas City, &c., R. Co., 116 Mo. 114, 1006, 1052, 1578b
v. Railway Co., 161 Mass. 298, 1578b
v. Rome, &c., R. Co., 115 N. Y. 112, 1631
v. Seattle, &c., R. Co., 42 Wash. 364, 1820
v. Southeastern R. Co., 15 Jur. (Eng.) 73, 1030
v. Turner, 12 Hun (N. Y.), 264, 608
v. Upton, 91 U. S. 65, 98, 178
Webster Lumber Co. v. Keystone, &c., R. Co., 51 W. Va. 545, 31, 389
Webster Mfg. Co. v. Nisbett, 205 Ill. 273, 1278a
Wechselberg v. Flour City Nat. Bank, 64 Fed. R. 90, 19, 190
Wecker v. National Enameling, &c., Co., 204 U. S. 176, 656a
Wedgwood v. Chicago, &c., R. Co., 41 Wis. 478, 1278
Weed v. Barney, 45 N. Y. 344, 1425, 1463, 1522
v. Chicago, &c., R. Co., 99 N. W. 827, 1274, 1302
v. Panama R. Co., 17 N. Y. 362, 1459, 1627a, 1638
v. Panama R. Co., 5 Duer (N. Y.), 193, 199

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Weed v. Railroad, 19 Wend. (N. Y.) 534, 1657
v. Saratoga, &c., Railroad, 19 Wend. 534, 1393, 1435, 1436, 1647, 1660, 1694
v. Smull, 3 Sandf. (N. Y.) 273, 565
Weed Sewing Machine Co. v. Boutelle, 56 Vt. 570, 624
Weeden v. Lake Erie, &c., R. Co., 14 Ohio, 563, 127
Weeks v. Billings, 55 N. H. 371, 646
v. Bridgman, 41 Minn. 352, 796
v. Milwaukee, 10 Wis. 242, 782
v. New Orleans, &c., Railroad Co., 40 La. Ann. 800, 1163, 1164, 1628
v. New York, &c., R. Co., 72 N. Y. 50, 1500, 1654
v. Silver, &c., Co., 23 J. & S. (N. Y. Super. Ct.) 1, 147, 149
v. Wilmington, &c., R. Co., 131 N. C. 78, 1173
Weems v. Georgia, M. & G. R. Co., 84 Ga. 356, 127
v. Georgia Midland & G. R. Co., 88 Ga. 303, 13a, 127, 129
v. Mathleson, 4 Macqu. H. L. C. 215, 1359
Weetjen v. St. Paul & P. R. R. Co., 4 Hun (N. Y.), 529, 497, 498
Wegener v. Smith, 15 Com. B. 285, 1559
Wehle v. Conner, 83 N. Y. 231, 626
Wehmann v. Minneapolis, &c., R. Co., 58 Minn. 22, 1444, 1445, 1449, 1504
Wehrman v. Reakirt, 1 Cin. Super. Ct. 230, 179
Weideman v. Tacoma, &c., Co., 7 Wash. 517, 218
Weidenfeld v. Sugar Run R. Co., 48 Fed. R. 615, 4, 257, 634, 920, 923, 961
Weidinfelder v. Allegheny, &c., R. Co., 47 Fed. R. 11, 165
Weider v. Maddox, 66 Tex. 372, 599
Weidner v. Rankin, 26 Ohio St. 522, 1368
Weight v. Liverpool, &c., Ins. Co., 30 La. Ann. 1186, 614
Weightman v. Clark, 103 U. S. 256, 827, 847
Weihi v. Atlanta, &c., Co., 89 Ga. 297, 562
Weigold v. Pittsburg, &c., R. Co., 208 Pa. St. 81, 969
Weihemayer v. Bitner, 88 Md. 325, 172
Waterville v. Kennebec Co., 59 Me. 80, 825, 847
Weikle v. Minneapolis, &c., R. Co., 64 Minn. 296, 1530
Weil v. Dry Dock, &c., R. Co., 119 N. Y. 147, 1050, 1262
v. Dry Dock Co., 5 N. Y. S. 833, 1096cp
v. Express Co., 7 Phila. (Pa.) 88, 1421
v. St. Louis, &c., R. Co., 64 Ark. 535, 1264
Weill v. Rogers, &c., Produce Co., 41 W. Va. 37, 1428
Weiller v. Pennsylvania R. Co., 134 Pa. St. 310, 1510
Weimer v. Bunbury, 30 Mich. 201, 771, 1040
Weinberg v. Albemarle, &c., R. Co., 91 N. Car. 31, 1438
Weinberger v. North Jersey St. R. Co. (N. J.) 64 Atl. 1059, 1096cl
Weinckle v. New York, &c., R. Co., 61 Hun (N. Y.), 619, 1046a
Weir v. Barnes, 38 Neb. 875, 1068
v. Express Co., 5 Phila. (Pa.) 355, 1512
v. St. Louis, &c., R. Co., 48 Mo. 558, 1201
v. St. Paul, &c., R. Co., 18 Minn. 155, 38, 391, 950, 953, 960, 1010, 1019, 1021
v. Union R. Co., 188 N. Y. 416, 1809
Weis v. Goetter, 72 Ala. 259, 558
v. Madison, 75 Ind. 241, 977
Weisbrod v. Chicago, &c., R. Co., 21 Wis. 602, 1096
Weise v. Union Pac. R. Co., 108 N. W. 175, 796
Weismer v. Douglas, 64 N. Y. 91, 814, 876
Weiss v. Mauch Chunk Co., 58 Pa. St. 295, 155
v. Pennsylvania R. Co., 79 Pa. St. 387, 1701
Weisser v. Southern Pac. R. Co., 83 Pac. 439, 1267a
Weissner v. St. Paul, &c., R. Co., 47 Minn. 468, 1262
Welch v. Boston, &c., R. Co., 41 Conn. 333, 1511
v. Concord R. Co., 68 N. H. 206, 1520, 1528
v. Cook, 97 U. S. 541, 768
v. Hicks, 6 Cow. (N. Y.) 504, 1562
v. London, &c., R. Co., 34 Weekly R. 166, 1653
v. Maine, &c., R. Co., 86 Me. 552, 1248, 1305
v. Milwaukee, &c., R. Co., 27 Wis. 108, 990, 992, 994
v. New York, &c., R. Co., 17 N. Y. Supp. 342, 1269, 1296, 1309
v. Northern Pac. R. Co., 103 N. W. 396, 1553, 1549
v. Old Dominion Min. & R. Co. (Sup. Ct.) 31 N. Y. S. R. 916, 37
v. Post, 99 Ill. 471, 827, 835, 844, 863
v. Pullman, &c., Co., 16 Abb. Pr. (N. S.) 352, 1662
v. Pullman, &c., Co., 1 Sheld. (N. Y.) 457, 1623
v. Sage, 47 N. Y. 143, 484
v. St. Genevieve, 1 Dill. 130, 918
v. Union, &c., Co., 117 Ga. 394, 1704
Weldon v. Omaha, &c., R. Co., 93 Mo. App. 668, 1788
v. People's R. Co., 65 Atl. 589, 1778
Welfare v. London, &c., R. Co., L. R. 4 Q. B. 693, 1644
Wellbrook v. Long Island R. Co., 31 Misc. (N. Y.) 424, 1114
Wellcome v. Leeds, 51 Me. 313, 332, 1090, 1092, 1112
Wellenhoffer v. New York, &c., R. Co., 66 Hun (N. Y.), 634, 1114b
Weller v. Chicago, &c., R. Co., 120 Mo. 653, 1701
v. Chicago, &c., R. Co., 164 Mo. 180, 1163
Welles v. Cowles, 4 Conn. 182, 1033
v. Northern Central, &c., Co., 150 Pa. St. 620, 1181

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wellington v. Norwich, &c., R. Co., 107 Mass. 582, 1564
Wellington, &c., R. Co., v. Cashie Lumber Co., 114 N. Car. 690, 957
Wellman v. Chicago, &c., R. Co., 83 Mich. 592, 674, 1593, 1684e
v. Howland, &c., Works, 19 Fed. R. 51, 182
Wells v. Alabama, &c., Co., 67 Miss. 24, 219
v. American, &c., Co., 55 Wis. 23, 1453, 1537, 1539
v. American, &c., Co., 44 Wis. 342, 303
v. Brooklyn City R. Co., 58 Hun, N. Y. 389, 1096ce
v. Brooklyn Heights R. Co., 67 App. Div. (N. Y.) 212, 1096da
v. Burlington, &c., R. Co., 56 Iowa, 520, 1271
v. Coe, 9 Colo. 159, 1316
v. Commissioners, 77 Md. 125, 918
v. East Tennessee, &c., R. Co., 74 Ga. 548, 624
v. Higgins, 132 N. Y. 459, 579
v. Hyattsville, 77 Md. 125, 747
v. Maine, &c., R. Co., 4 Cliff. 228, 1461, 1537
v. Martin, 32 Mich. 478, 1061
v. National L. Ass'n., 99 Fed. 222, 1731
v. New Haven, &c., Co., 151 Mass. 46, 712, 1057d
v. New York, &c., R. Co., 24 N. Y. 181, 1608, 1645
v. Northern R. Co., 14 Ont. R. 595, 1140, 1147, 1148
v. Northern Trust Co., 195 Ill. 288, 1058
v. Oregon R. &c., Co., 15 Fed. 561, 1684f
v. Oregon, &c., R. Co., 32 Fed. R. 51, 1530
v. Ponponpoc Co., 102 U. S. 625, 859a
v. Rahway, &c., Co., 19 N. J. Eq. 402, 260, 266
v. Railroad Co., 151 Mass. 46, 1057d
v. Rhodes, 114 Ind. 467, 1047
v. Robb, 43 Kan. 201, 189
v. Rodgers, 50 Mich. 294, 145
v. Rodgers, 60 Mich. 525, 164, 262, 327
v. Somerset, &c., R. Co., 47 Me. 345, 924, 963, 969
v. Southern, &c., Ry. Co., 1 Fed. R. 270, 528, 605, 1070
v. Steam Nav. Co., 2 N. Y. (2 Coms.) 204, 1397
v. Supervisors, 102 U. S. 625, 827, 839, 875, 891, 895, 900
v. Thomas, 27 Mo. 17, 1446, 1450, 1451, 1570
v. Thomas 72 Am. Dec. 228, 1412
v. Washington Market Co., 19 Wash. Law R. 52, 1265
v. Weston, 22 Mo. 384, 846
v. Wilmington, &c., R. Co., 6 Jones (L.), 47, 1404, 1411, 1463, 1521
Wells County Road, Matter of, 7 Ohio St. 16, 1017
Wells Co. v. Gastonia, &c., Co., 198 U. S. 177, 621a
Wells-Fargo & Co. v. Bell, 65 Ohio St. 408, 1753
v. Northern Pacific R. Co., 23 Fed. R. 469, 936, 1394
Wells-Fargo & Co. v. Oregon, &c., Co., 8 Sawyer, 600, 1395
v. Oregon, &c., R. Co., 18 Fed. R. 517, 936
v. Fuller, 4 Tex. Civ. App. 213, 1440, 1482
Wellsborough v. New York, &c., R. Co., 76 N. Y. 182, 858, 875, 893, 902
Wellsborough, &c., Co. v. Griffin, 57 Pa. St. 417, 72, 526, 531
Wellsburg, &c., Co. v. Panhandle Trac. Co., 56 W. Va. 18, 153, 155, 157, 975, 1119, 1122
Welsch v. Hannibal, &c., R. Co., 72 Mo. 451, 1157
v. Chicago, &c., R. Co., 19 Mo. App. 127, 1007, 1048
v. Chicago, &c., R. Co., 53 Iowa, 632, 1212, 1216
v. First Division, &c., R. R. Co., 25 Minn. 314, 486, 514, 526
v. Jackson, &c., R. Co., 81 Mo. 466, 1096cb
v. Pittsburg, &c., R. Co., 10 Ohio St. 65, 1479, 1511, 1545, 1551
v. United Trac. Co., 202 Pa. St. 530, 1096ce
Welton v. State, 91 U. S. 275, 756, 764, 1358e, 1663, 1671, 1672
Welty v. Indianapolis, &c., R. Co., 105 Ind. 55, 1172, 1201, 1209, 1783
Wemple v. St. Louis, &c., R. Co., 120 Ill. 196, 121
Wencker v. Missouri, &c., R. Co., 169 Mo. 592, 1267a
Wendell v. New York, &c., R. Co., 91 N. Y. 420, 1168, 1172
v. Pennsylvania R. Co., 57 N. J. L. 467, 1766
Wendt v. Chicago, &c., Co. (S. Dak.) 57 N. W. 226, 218
Wenger v. Chicago, &c., R. Co., 114 Fed. 34, 532
Wengler v. Missouri, &c., R. Co., 16 Mo. App. 493, 1689l
Wenham v. State, 65 Neb. 394, 1336
Wennell v. Adney, 3 B. & P. 252, 223
Wente v. Chicago, &c., R. Co., 112 N. W. 300, 1727
Wentworth v. Eastern, &c., R. Co., 143 Mass. 248, 1590
v. Outwaite, 10 M. & W. 436, 1543
Wentz v. Erie, &c., R. Co., 3 Hun (N. Y.), 241, 1595, 1598
Werle v. Long Island R. Co., 98 N. Y. 650, 1630
Werner v. Chicago, &c., R. Co., 105 Wis. 300, 1832
v. Evans, 94 Ill. App. 328, 1649a
Wernwag v. Philadelphia, &c., R. Co., 117 Pa. St. 46, 1491, 1523, 1526
Wert v. Crawfordsville, &c., Co., 19 Ind. 242, 129
Wertheimer v. Interborough Rapid Transit Co., 102 N. Y. S. 706, 1628
v. Pennsylvania Co., 17 Blatchf. 421, 1457, 1459, 1516
v. Pennsylvania R. Co., 1 Fed. 232, 1502
Wescott v. New York, &c., R. Co., 153 Mass. 460, 1314, 1315b
Wesley City Coal Co. v. Healer, 84 Ill. 126, 711, 1173
West, Ex parte, 56 Law Times R. (N. S.) 622, 132

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

West v. Aurora City, 6 Wall. (U. S.) 139, 646
v. Bullskin, &c., Co., 32 Ind. 138, 18
v. Chasten, 12 Fla. 315, 562
v. Chicago, &c., R. Co., 77 Iowa, 654, 1226, 1238
v. Crawford, 80 Cal. 19, 109, 111a, 133
v. Jersey, &c., R. Co., 32 N. J. L. 91, 1172
v. Klotz, 37 Ohio St. 420, 1075
v. London, &c., R. Co., L. R. 5 C. P. 622, 1768
v. McGurn, 43 Barb. (N. Y.) 198, 1053
v. Milwaukee, &c., R. Co., 56 Wis. 318, 985, 1006
v. Northern Pac. R. Co., 100 N. W. 254, 1209
v. St. Louis, &c., R. Co., 63 Ill. 545, 1063, 1064
v. Smith, 101 U. S. 263, 656
v. Weaver, 3 Heisk. (Tenn.) 589, 552
v. West, &c., R. Co., 61 Miss. 536, 1029
v. Whitaker, 37 Ia. 598, 823b
Westaway v. Chicago, &c., R. Co., 56 Minn. 28, 1150, 1154
West Bloomfield Twp. v. Detroit, &c., R. Co. (Mich.) 109 N. W. 258, 1096bj
West Boston Bridge Co. v. County Comrs., 10 Pick. (Mass.) 270, 964
West Branch Boom Co. v. Pennsylvania Joint Lumber & Land Co., 22 W. N. C. 303, 308
West Branch, &c., Canal Co. v. Mulliner, 68 Pa. St. 357, 976
West Branch, &c., Co. v. Lumber, &c., Co., 121 Pa. St. 143, 38
Westbrook's Appeal, 57 Conn. 95, 461, 670, 671, 1082, 1096o, 1096ad, 1102, 1109
v. Mobile, &c., R. Co., 66 Miss. 560, 1262
West Chester, &c., R. R. Co. v. Jackson, 77 Pa. St. 321, 82, 86, 310, 315
v. McElwee, 67 Pa. St. 311, 1163, 1177
v. Miles, 55 Pa. St. 209, 200, 1665
West Chicago St. R. Co. v. Colt, 50 Ill. App. 640, 1766
v. Daugherty, 209 Ill. 241, 1174, 1812
v. Dwyer, 57 Ill. App. 440, 1333c
v. Fishman, 169 Ill. 196, 1689l
v. Foster, 175 Ill. 396, 1808
v. James, 69 Ill. App. 609, 1819
v. Kromishinsky, 185 Ill. 92, 1096bt, 1096cr
v. Krueger, 68 Ill. App. 450, 1828
v. Levy, 82 Ill. App. 202, 1096aq, 1696, 1773
v. Lieserowitz, 197 Ill. 607, 1841
v. Luka, 72 Ill. App. 60, 1831
v. Lups, 74 Ill. App. 420, 1816
v. McCafferty, 220 Ill. 476, 1844
v. McCallum, 169 Ill. 240, 1096ci
v. Maday, 188 Ill. 308, 1812, 1820
v. Manning, 170 Ill. 417, 1096bt, 1096cy
v. Marks, 82 Ill. App. 185, 1096cz
v. Marks, 182 Ill. 15, 1759
v. Martin, 47 Ill. App. 610, 1178, 1635
West Chicago St. R. Co. v. O'Connor, 85 Ill. App. 278, 1096ap, 1096cc
v. People, 201 U. S. 506, 1096ag
v. Schwartz, 93 Ill. App. 387, 1096cl
v. Stephens, 66 Ill. App. 303, 1096ct
v. Walsh, 78 Ill. App. 595, 1096cs
v. Chicago, 178 Ill. 339, 787a, 1096am
West Chicago, &c., R. Co. v. Mable, 77 Ill. App. 176, 1359
v. Martin, 47 Ill. App. 610, 1096ck
v. People, 214 Ill. 9, 1082
v. Peters, 196 Ill. 298, 1096cb
v. Shiplett, 85 Ill. App. 683, 1096cs
Westcott v. Fargo, 61 N. Y. 542, 1512, 1714
v. Fargo, 63 Barb. (N. Y.) 349, 1718
v. Minnesota, &c., Co., 23 Mich. 145, 149
v. Seattle, &c., R. Co., 41 Wash. 618, 1639
West End, &c., R. Co. v. Atlanta, &c., Co., 49 Ga. 151, 361, 1080
v. Claiborne, 97 Va. 734, 127
Westerberg v. Kinzua, &c., R. Co., 142 Pa. St. 471, 1262
West Memphis Packet Co. v. White, 99 Tenn. 256, 1639
Westerfield, Ex parte, 55 Cal. 550, 774
Westerfield v. Levis, 43 La. Ann. 63, 1259, 1262
Western v. Macdermott, L. R. 2 Ch. 72, 360
Western Am. Co. v. St. Ann. Co., 22 Wash. 158, 1010
Western Imp. Co. v. Des Moines Nat. Bank, 103 Ia. 455, 261
Western Md. R. Co. v. Blue Ridge Hotel Co., 102 Md. 307, 251, 481
v. State, 95 Md. 637, 1606, 1629, 1831, 1833, 1846
Western Nat. Bank v. Armstrong, 152 U. S. 346, 229, 350
Western N. Y. L. Ins. Co. v. Clinton, 66 N. Y. 326, 232
Western North Carolina R. Co. v. Georgia &c., Co., 88 N. Car. 79, 922
Western Pac. R. Co. v. Southern Pac. Co., 151 Fed. 376, 980a
Western Pav. & Supply Co. v. Citizens' St. R. Co., 128 Ind. 525, 67, 1079, 1092, 1096al, 1096al, 1096am
West of England Bank, In re, L. R. 14 Ch. Div. 317, 251
Western Penn. R. Co.'s Appeal, 99 Pa. St. 155, 927a, 1116
Western Pennsylvania R. Co.'s, Appeal, 104 Pa. St. 399, 48, 49, 54, 931, 961
Western R. Co. v. Mitchell, 41 So. 427, 1215
v. Smith, 75 Ill. 496, 1060, 1062
v. Stone, 39 So. 723, 1204, 1205, 1208, 1215, 1218
Western Saving Fund Society v. Philadelphia, 31 Pa. St. 175, 840
Western Stone Co. v. Whalen, 151 Ill. 472, 213, 1291
Western Trans Co. v. Barber, 56 N. Y. 544, 1537, 1571
v. Hoyt, 69 N. Y. 230, 1558
v. Newhall, 24 Ill. 466, 1448, 1454, 1500, 1501, 1516

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Western Union Tel. Co. v. Alabama State Board, 132 U. S. 472, 780
v. American, &c., Co., 65 Ga. 160, 366, 388, 968, 1675
v. Am. Tel. Co., 19 Am. L. Reg. (N. S.) 173, 388
v. American U. Tel. Co., 9 Biss. (U. S.) 72, 388
v. Atlantic, &c., Tel. Co., 5 Nev. 102, 388
v. Atlantic, &c., Tel. Co., 7 Biss. (U. S.) 367, 387, 963
v. Attorney-General, 125 U. S. 530, 755, 757, 759, 778, 780
v. Baltimore, &c., Tel. Co., 22 Fed. 133, 388
v. Baltimore, &c., Tel. Co., 23 Fed. 12, 388
v. Burlington, &c., R. Co., 11 Fed. R. 1, 526
v. Burlington, &c., R. Co., 3 McCrary (U. S.), 130, 387, 388, 397
v. Chicago, &c., R. Co., 86 Ill. 246, 387
v. Call Pub. Co., 181 U. S. 92, 1391, 1663, 1666, 1684g
v. City Council of Charleston, 56 Fed. 419, 780
v. Cross, 116 Ky. 5, 1798
v. Davenport, 97 U. S. 369, 80
v. Dickinson, 40 Ind. 444, 649
v. Electric, &c., Co., 178 N. Y. 325, 1096v
v. Gottlieb, 190 U. S. 412, 758
v. Hamilton, 50 Ind. 181, 710
v. Harding, 108 Ind. 505, 1576
v. Indiana, 165 U. S. 304, 772
v. James, 162 U. S. 650, 1668, 1670, 1671
v. Lark (Ga.), 23 S. E. 118, 1670
v. Levi, 47 Ind. 552, 648
v. Ludley, 62 Ind. 371, 622
v. Massachusetts, 125 U. S. 530, 690, 758
v. Mayor, &c., 38 Fed. R. 552, 343
v. McGill. 57 Fed. R. 699, 1367, 1372
v. McMullen (N. J.), 33 Atl. R. 384, 1283
v. Meyer, 61 Ala. 154, 1526, 1535
v. Missouri, 190 U. S. 412, 758
v. Neel, 86 Tex. 368, 1576
v. New Hope, 187 U. S. 419, 767
v. Pendleton, 122 U. S. 347, 658, 667, 1663, 1670
v. Pennsylvania, 128 U. S. 39, 1358d
v. Pennsylvania R. Co., 195 U. S. 540, 5, 33, 958, 972
v. Pennsylvania R. Co., 120 Fed. 362, 966, 974, 996b
v. Pennsylvania R. Co., 123 Fed. 33, 952, 975c
v. Poe, 64 Fed. 9, 740
v. Poe, 61 Fed. R. 449, 632, 740
v. Rich, 19 Kan. 517, 41, 342, 393, 977, 994a
v. St. Joseph, &c., R. Co., 1 McCrary (U. S.), 565, 388
v. Scircle, 103 Ind. 227, 712
v. Taggart, 141 Ind. 281, 737, 755, 1665
v. Taggart. 163 U. S. 1, 1665
v. Tyler, 90 Va. 297, 1670
v. Union Pacific R. Co., 3 Fed. 721, 190
v. Union Pacific R. Co., 3 Fed. 423, 936
Western Union Tel. Co. v. Williams, 86 Va. 696, 1085
v. Wilson, 108 Ind. 305, 710
Western Union, &c., R. Co. v. Smith, 75 Ill. 496, 1058, 1058a, 1060
Western Wheel Works v. Stachnick, 102 Ill. App. 420, 1689g
Western, &c., R. Co., Appeal of, 104 Pa. St. 399, 49, 54, 931
Western, &c., R. Co. v. Alabama, &c., R. Co., 96 Ala. 272, 629, 630, 1087
v. Avery, 64 N. C. 491, 149
v. Babcock, 6 Met. (Mass.) 347, 935
v. Bass, 104 Ga. 390, 1370
v. Bishop, 50 Ga. 465, 1608, 1645
v. Blue Ridge Hotel Co., 102 Md. 307, 86
v. Branan, 123 Ga. 692, 1711
v. Camp, 53 Ga. 599, 1464
v. Carter, 59 Md. 306, 1213
v. Cooper, 71 Tex. 507, 1821
v. Deal, 90 N. C. 110, 31, 389
v. Dickson, 30 Wis. 389, 1016
v. Drew, 3 Woods (U. S.), 691, 526
v. Esslinger, 95 Ga. 734, 1310
v. Exposition, &c., Mills, 81 Ga. 522, 1399, 1442, 1448, 1494, 1506
v. Franklin Bank, 60 Md. 36, 80
v. Fulton, 64 Ill. 271, 721
v. Harwell, 97 Ala. 341, 1446, 1480, 1504, 1510, 1512, 1516, 1548, 1550
v. Herold, 74 Md. 510, 1637
v. Hill, 56 Pa. St. 460, 996
v. Hoyt, 69 N. Y. 230, 1562
v. Huss, 70 Ala. 565, 1208
v. Jackson. 113 Ga. 355, 1829
v. Johnston, 59 Pa. St. 290, 500, 525, 526, 629, 945, 1048
v. Jones, 65 Ga. 631, 1206
v. Kelly, 1 Head, 158, 1692
v. King, 70 Ga. 261, 1160, 1850
v. Lazarus, 88 Ala. 453, 1204, 1205, 1353
v. Lynch (Md.), 34 Atl. 40, 1611
v. McCauley, 68 Ga. 818, 1218
v. McElwee, 6 Heisk. 208, 1434
v. Main, 64 Ga. 649, 1206
v. Meigs, 74 Ga. 857, 1154, 1360, 1378b, 1805
v. Miller, 19 Mich. 305, 1637
v. Mitchell, 39 So. 427, 1205
v. Orendorff, 37 Md. 328, 1058
v. Owings, 15 Md. 199, 1049
v. Patterson, 37 Md. 125, 1100
v. Reed, 35 Cal. 621, 1039, 1040, 1041, 1044
v. Russell, 144 Ala. 142, 1297
v. Schaun, 97 Md. 563, 1594
v. Nolan, 48 N. Y. 513, 165
v. Stanley, 61 Md. 266, 1589
v. Stockdale (Md.), 34 Atl. 880, 1594, 1594a, 1597
v. Roberson, 61 Fed. R. 592, 23, 28, 30, 339
v. Rollins, 82 N. C. 523, 56, 613
v. Sistrunk, 85 Ala. 352, 1204
v. Strong, 52 Ga. 461, 1376
v. Tevis, 41 Cal. 489, 927, 1025
v. Thornton, 60 Ga. 300, 626, 1538
v. Turner, 72 Ga. 292, 1265, 1582, 1629, 1638
v. Volls, 98 Va. 446, 1628a
v. Wagner, 65 Ill. 197, 1429

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Western, &c., R. Co. v. Young, 81 Ga. 397, 1155, 1261, 1815, 1819, 1824
v. Baynes, 11 Hun, 166, 287
Westfield Bank v. Comen, 37 N. Y. 320, 268
Westinghouse, &c., Co. v. Kansas City &c., R. Co., 137 Fed. 26, 528, 1068, 1072, 1074 1075
West Jersey R. Co. v. Abbott, 60 N. J. L. 150, 1224
v. Camden, &c., R. Co., 52 N. J. Eq. 31, 8, 632, 1096be
v. Ewan, 55 N. J. L. 574, 1170, 1179i
West Jersey Traction Co. v. Camden, &c., Co., 53 N. J. Eq. 163, 1096i, 1096m
v. Shivers, 58 N. J. L. 124, 1096i
West Jersey, &c., R. Co. v. Atlantic City, &c., Co., 65 N. J. L. 613, 1123
v. Camden, &c., R. Co., 52 N. J. Eq. 452, 48, 52, 632, 1080, 1083, 1096z
v. Ocean City R. Co., 61 N. J. L. 506, 1016
v. Waterford Twp. 64 N. J. Eq. 663, 1105
Westminister, The, 127 Fed. 680, 1512, 1514, 1714
Westminster Nat. Bank v. New England, &c., Works 73 N. H. 465, 620
Westmoreland v. Foster, 60 Ala. 448, 1571
West Nashville, &c., Co. v. Nashville Sav. Bank, 86 Tenn. 252, 79
West of England Bank, In re, L. R. 14 Ch. Div. 317, 251
Weston v. Bear River, &c., Co., 5 Cal. 186, 98
v. Charleston, 2 Pet. (U. S.) 449, 646, 1665
v. Columbus, &c., R. R. Co., 90 Ga. 289, 127
v. Dane, 51 Me. 461, 700
v. New York, &c., R. Co., 73 N. Y. 595, 1590
v. Watts, 45 Hun (N. Y.) 219, 584
West Philadelphia, &c., R. Co. v. Gallagher, 108 Pa. St. 524, 1096cu
v. Philadelphia, 10 Phila. (Pa.) 70, 1082, 1096ag
West Riding, &c., R. Co. v. Wakefield Local Board, 33 L. J. M. C. 174, 1063
West River Bridge Co. v. Dix, 6 How. (U. S.) 507, 950, 952, 960, 964, 967
West St. Louis, &c., Bank v. Shawnee, &c., Bank, 95 U. S. 557, 351
West Side Elevated R. Co., v. Stickney, 150 Ill. 362, 988
West Side, &c., Co. v. Railroad Co., 95 N. W. 193, 1245a
West Virginia Transp. Co. v. Sweetzer, 25 W. Va. 434, 1560, 1564
v. Volcanic Oil, &c., Co., 5 W. Va. 382, 1027
West Virginia, &c., R. Co. v. Gibson, 94 Ky. 234, 994
v. Harrison Co. Court, 47 W. Va. 273, 851, 852
v. Ohio, &c., R. Co., 22 W. Va. 600, 366, 385, 946, 1675
West Wisconsin R. Co. v. Board, &c., Trempealeau County, 35 Wis. 257, 56, 770, 779
Wetherbee v. Baker, 35 N. J. Eq. 501, 110, 179, 182
Fitch, 117 Ill. 67, 285
Wetmore v. St. Paul, &c., R. Co., 1 McCrary (U. S.), 466, 508, 529, 534
v. St. Paul, &c., R. Co., 3 Fed. 177, 529, 535
Wetumpka v. Winter, 29 Ala. 651, 881
Wetzel v. Power, 5 Mont. 214, 1692
Wetzel, &c., R. Co. v. Tennie Bros. Co., 145 Fed. 458, 1070, 1074
Wetzell v. Chicago, &c., R. Co., 12 Mo. App. 599, 1474
Wetzeler v. Collins, 70 Mo. 290, 1419
Weyand v. Atchison, &c., Railroad, 75 Iowa, 573, 1426, 1430, 1522, 1527
Weyer v. Chicago, &c., R. Co., 68 Wis. 180, 995, 1040a
v. Milwaukee, &c., R. Co., 57 Wis. 329, 1052, 1053
v. Second Nat. Bank, 57 Ind. 198, 94
Weyerhaueser v. Minnesota, 176 U. S. 550, 771
Weyl v. Chicago, &c., R. Co., 40 Minn. 350, 1082, 1165, 1166, 1179b
v. Sonoma V. R. Co., 69 Cal. 202, 1049, 1087, 1096
Weyland v. Atchison, &c., R. Co., 75 Iowa, 573, 1523
v. Elkins, Holt N. P. 227, 1444
Weymouth v. Washington, &c., R. Co., 1 McArthur (D. C.), 19, 621
Whaalan v. Mad River, &c., R. Co., 8 Ohio St. 249, 1292
Whalen v. Chicago, &c., R. Co., 75 Wis. 654, 1257, 1344
v. New York, &c., R. Co., 58 Hun, 431, 1171
v. St. Louis, &c., R. Co., 60 Mo. 323, 1815
Whaley, &c., Co. v. Green, L. R. 5 Q. B. Div. 109, 11
Whalley v. Lancashire, &c., R. Co., L. R. 13 Q. B. Div. 131, 977
Whalin v. Illinois Cent. R. Co., 212 Ill. App. 428, 1296
Wharfboat Asso. v. Wood Co., 64 Miss. 661, 1457a
Wharton v. Winch, 140 N. Y. 287, 1062
What Cheer, &c., Co. v. Johnson, 56 Fed. R. 810, 1321, 1323
Whatley v. Macon, &c., 104 Ga. 764, 1315f
v. Zendia, &c., Co., 122 Ala. 118, 1096bw, 1334
Whatman v. Pearson, L. R. 3 Com. P. 422, 214
Wheat v. City Council of Alexandria, 88 Va. 742, 1076
Wheatcroft's Case, 29 L. T. R. 324, 115
Wheatland v. Taylor, 29 Hun (N. Y.), 70, 879
Wheatley v. Glover, 125 Ga. 710, 185
v. Westminister, &c., Coal Co., L. R. 9 Eq. 538, 642
Wheaton v. Peters, 8 Pet. 521, 1663
Wheelan v. Chicago, &c., R. Co., 85 Iowa, 167, 1378a, 1697
Wheeler, In re, 2 Abb. Pr. N. S. (N. Y.) 361. 87, 206, 250, 252
Wheeler v. Chicago, 68 Fed. R. 526, 794, 796

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wheeler v. Emerson, 45 N. H. 526, 625
v. Kirtland, 27 N. J. Eq. 534, 1025
v. Merriman, 30 Minn. 372, 799
v. Millar, 90 N. Y. 353, 103, 155, 186
v. New Brunswick, &c., R. Co., 115 U. S. 29, 1423, 1502, 1503
v. New York, &c., R. Co., 67 Hun (N. Y.), 639, 1243a
v. Northwestern, &c., Co., 39 Fed. R. 347, 305
v. Perry, 18 N. H. 307, 307
v. Pullman, &c., Co., 143 Ill. 197, 165, 426, 550, 609
v. Rochester, &c., R. Co., 12 Barb. 227, 1005, 1137
v. St. Joseph, &c., R. Co., 31 Kan. 640, 1647, 1650a
v. San Francisco, &c., R. R. Co., 31 Cal. 46, 42, 303, 374, 1466
v. Smith, 81 Fed. 319, 573
v. South Orange, &c., Trac. Co., 70 N. J. L. 725, 1096cz
v. Thayer, 121 Ind. 64, 155
v. Tyler R. Co., 91 Tex. 356, 1689i, 1820
Wheeler, &c., Co. v. Boyse, 36 Kan. 350, 1265
v. Howard, 28 Fed. R. 741, 507
Wheelham v. Philadelphia Trac. Co., 150 Pa. St. 187, 1096bq
Wheeling v. Mayor, 1 Hughes (U. S.), 90, 635
Wheeling Bridge Cases, The, 18 How. (U. S.) 421, 1358e
Wheeling Bridge, &c., Co. v. Reymann, &c., Co., 90 Fed. 189, 521
Wheeling, &c., R. Co. v. Camden, &c., Co., 35 W. Va. 205, 923, 926, 1029
v. Koontz, 61 Ohio St. 551, 1541
v. Tridelphia, W. Va. 52 S. E. 499, 1096bf, 1096bj
v. Warrell, 122 Pa. St. 613, 1007
v. Wheeling, &c., Co., 34 W. Va. 155, 964
Wheeling, &c., Co. v. Gilmore, 8 Ohio Cir. C. 658, 1336
Wheelock v. Boston, &c., R. Co., 105 Mass. 203, 1165, 1166, 1171
v. Moulton, 15 Vt. 519, 237
v. Young, 4 Wend. (N. Y.) 647, 972
Wheelright v. Boston, &c., R. Co., 135 Mass. 225, 1163
Wheelwright v. St. Louis, &c., Co., 56 Fed. R. 164, 509
Whelan v. New York, &c., R. Co., 38 Fed. 15, 1157, 1171, 1174, 1813, 1820
v. New York, &c., R. Co., 35 Fed. 849, 645, 651
v. Young, 21 D. C. 51, 1070
Whelpley v. Erie R. Co., 6 Blatchf. (U. S.) 271, 541, 547, 549
Whelton v. West End St. R. Co., 172 Mass. 555, 1352
Whicher v. Boston, &c., R. Co., 176 Mass. 275, 1623, 1624, 1656a
Whightsel v. Felton, 95 Fed. 923, 579
Whipple v. New York, &c., R. Co., 19 R. I. 587, 1269
v. Thayer, 16 Pick. (Mass.) 25, 555
v. West Phila. R. Co., 11 Phila. 345, 1633
Whistler v. Cowan, 26 Ohio Cir. Ct. 511, 1255
v. Drain Comrs., 40 Mich. 591, 1027
Whitacre v. St. Paul, &c., R. Co., 24 Minn. 311, 1006
Whitaker v. Brooks, 90 Ky. 68, 743
v. Eighth Ave. R. Co., 51 N. Y. 295, 1096e, 1096aq
v. Grummond, 68 Mich. 249, 177
Whitback v. New York, &c., R. Co., 36 Barb. 644, 1239
Whitbeck v. Schuyler, 44 Barb. (N. Y.) 469, 1406
Whitby v. Baltimore, &c. R. Co., 96 Md. 700, 1115
Whitcher v. Benton, 48 N. H. 157, 1025
Whitcomb's Case, 120 Mass. 118, 675
Whitcomb v. McNulty, 105 Fed. 863, 1297
v. Ramsey Co., 91 Minn. 238, 750
v. Standard Oil Co., 153 Ind. 513, 1279, 1315, 1346, 1357
White, Ex parte, 2 S. Car. 469, 535
White v. Ashton, 51 N. Y. 280, 1423, 1440
v. Board, 129 Ind. 396, 839
v. Boston, &c., R. Co., 144 Mass. 404, 1644
v. Charlotte, &c., R. Co., 6 Rich. (S. Car.) Law, 47, 996
v. Chicago, &c., R. Co., 122 Ind. 317, 418, 718, 978, 994a, 1004, 1005, 1057, 1085, 1088
v. Chicago, &c., R. Co., 1 S. Dak. 326, 1221, 1224, 1239
v. Chicago, &c., R. Co., 102 Wis. 489, 1165, 1166
v. Chicago, &c., R. Co., 96 S. W. 911, 653, 1371
v. Cincinnati, &c., R. Co., 89 Ky. 478, 1550
v. Cincinnati, &c., R. Co., 34 Ind. App. 287, 993, 995, 996
v. Commercial, &c., Bank, 66 S. C. 491, 373
v. Concord R. Co., 30 N. H. 188, 1213, 1313
v. Evansville, &c., R. Co., 133 Ind. 480, 303, 1602, 1689h, 1760
v. Fitchburgh R. Co., 136 Mass. 321, 1585
v. Fitchburgh, &c., R. Co., 4 Cush. (Mass.) 440, 1036
v. Goodrich, &c., Co., 46 Wis. 493, 1417
v. Grand Rapids, &c., R. Co. 107 Mich. 681, 1637
v. Great Western, &c., R. Co., 2 C. B. (N. S.) 7, 1397, 1495
v. Hinton, 3 Wyo. 753, 1049
v. Howard, 46 N. Y. 144, 398
v. Lewiston, &c., R. Co., 94 App. Div. (N. Y.) 4, 1767
v. Louisville, &c., R. Co., 72 Miss. 12, 1795, 1282, 1313
v. Manhattan, &c., R. Co., 139 N. Y. 19, 1078
v. Metropolitan, &c., Co., 154 Ill. 620, 993
v. Miller, 52 Minn. 367, 507
v. Milwaukee City R. Co., 61 Wis. 536, 1699, 1800
v. Missouri, &c., R. Co., 19 Mo. App. 400, 1437
v. Missouri Pac. R. Co., 31 Kan. 280, 1226
v. Mitchell, 38 Mich. 390, 1543
v. Nashville, &c., R. Co., 7 Heisk. (Tenn.) 518, 526, 950, 1048
v. New York, &c., R. Co., 85 N. Y. S. 497, 1243

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

White v. New York, &c., R. Co., 42 N. Y. St. 24, 11791
v. Norfolk, &c., R. Co., 115 N. Car. 631, 1638
v. Northwestern, &c., R. Co., 113 N. Car. 610, 630, 1087
v. People, 94 Ill. 604, 950
v. St. Louis R. Co., 86 S. W. 962, 1652a
v. Saginaw, 67 Mich. 33, 783
v. San Rafael, &c., R. Co., 50 Cal. 417, 1059, 1060
v. Sharp, 27 Hun, 97, 1303
v. South Shore R. Co., 6 Cush. (Mass.) 412, 964
v. State, 69 Ind. 273, 204
v. State, 86 Ala. 69, 734
v. Syracuse, &c., R. Co., 14 Barb. (N. Y.) 559, 95, 107, 826
v. Tidewater, &c., Co., 50 N. J. Eq. 1, 636
v. Toncray, 9 Leigh, 347, 1466
v. University Land Co., 49 Mo. App. 450, 610
v. Utica, &c., R. Co., 15 Hun, 333, 1197
v. Van Kirk, 25 Barb. (N. Y.) 16, 1419, 1423
v. Vermont, &c., R. R. Co., 21 How. (U. S.) 575, 484, 510
v. Wabash, &c., R. Co., 64 Iowa, 281, 1049, 1050
v. Welsh, 38 Pa. St. 396, 1543
v. West End, &c., R. Co. (Mass.) 42 N. E. 298, 1402
v. Westport, &c., Co., 1 Pick. 215, 285
v. Wilmington City R. Co., 63 Atl. 931, 1791
v. Winnisimmit Co., 7 Cush. (Mass.) 155, 1550
v. Witteman, &c., Co., 131 N. Y. 631, 1303
v. Worcester Consol. St. R. Co., 167 Mass. 43, 1096ch
Whitecotton v. St. Louis, &c., R. Co., 104 Mo. App. 65, 996, 1002
Whitecraft v. Vanderver, 12 Ill. 235, 710
Whiteford Township v. Probate Judge, 53 Mich. 130, 1019
Whitehead v. Anderson, 9 Mees. & W. 518, 1543
v. Arkansas Cent. R. Co., 28 Ark. 460, 1012, 1055
v. Plummer, 76 Iowa, 181, 796
v. St. Louis, &c., R. Co., 99 Mo. 263, 1581, 1582, 1629, 1696, 1756
v. Vineyard, 50 Mo. 30, 503, 813
v. Wilmington, &c., R. Co., 87 N. Car. 255, 710, 1425
v. Wooten, 43 Miss. 523 545 546, 551, 556, 558, 560
Whitehill v. Jacobs, 75 Wis. 474, 91
Whitehouse v. Androscoggin R. Co., 52 Me. 308, 1005, 1057
v. Halstead, 90 Ill. 95, 1527
Whitehurst v. Whitehurst, 83 Va. 153, 213
White Lake, &c., Co. v. Russell, 22 Neb. 126, 1067
Whitelaw, In re, 71 Fed. 733, 654
Whiteley v. Mississippi, &c., Co., 38 Minn. 523, 1047
Whitely v. Platt County, 73 Mo. 30, 1027
Whiteman v. Boston, &c., R. Co., 3 Allen, 133, 989
Whiteman v. Wilmington, &c., R. Co., 2 Harr. (Del.) 514, 213, 952, 960, 987, 1012
White Mountains R. Co. v. Eastman, 34 N. H. 124, 109, 112, 127, 131, 150, 176, 440
v. White Mountains R. Co., 50 N. H. 50, 525, 529, 606
White Oak R. Co. v. Gordon, 56 S. E. 837, 1053
White Plains, &c., Com'rs., In re, 76 N. Y. S. 11, 1035a
White River T. Co. v. Vermont C. R. Co., 21 Vt. 590, 32, 33, 41, 922, 967, 968
White's Bank v. Smith, 7 Wall, 646, 1663
v. Toledo, &c., Ins. Co., 12 Ohio St. 601, 101
White's Creek, &c., Co. v. Davidson County, 3 Tenn. Ch. 396, 665
Whiteside v. Prendergast, 2 Barb. Ch. (N. R.) 472, 586
Whitesides v. Russell, 8 Watts & S. 44, 1535
v. Thurlkill, 12 Smed. & M. (Miss.) 599, 1481
v. United States, 93 U. S. 247, 806
White Water C. Co. v. Vallette, 21 How. (U. S.) 414, 42, 342, 424, 493, 501, 502
White Water Valley R. Co. v. McClure, 29 Ind. 536, 987, 990, 995
White Water, &c., R. Co., v. Bridgett, 94 Ind. 216, 1198, 1214
v. Butler, 112 Ind. 598, 1627a, 1628
v. Quick, 31 Ind. 127, 1196
v. Quick, 30 Ind. 384, 1193
Whitfield, Ex parte, 2 Atk. 315, 551
Whitfield v. Zellnor, 24 Miss. 663, 1062
Whitford v. Panama, &c., R. Co., 23 N. Y. 465, 1339, 1361
v. Southbridge, 119 Mass. 564, 1701
Whitham v. Chicago, &c., R. Co., 85 Pac. 852, 1593
Whiting v. Mayor, &c., Boston, 106 Mass. 350, 752
v. New Haven, 45 Conn. 303, 1003, 1003b
v. Potter, 2 Fed. 517, 904
v. Sheboygan, &c., Co., 25 Wis. 167, 2, 673, 814, 841
v. Town of Potter, 18 Blatchf. 165, 903
v. U. S. Bank, 13 Peters (U. S.), 6, 518
v. Wellington, 10 Fed. R. 810, 266
Whitlock v. Hay, 58 N. Y. 484, 303
Whitman v. Boston, &c., R. Co., 3 Allen (Mass.), 133, 1025
v. Boston, &c., R. Co., 7 Allen (Mass.), 313, 985, 1006
v. Cox, 26 Me. 335, 237
v. Pennsylvania R. Co., 156 Pa. 175, 1179b
v. Vanderbilt, 75 Fed. 422, 1420
v. Wisconsin, &c., Ry. Co., 58 Wis. 408, 1279, 1296
Whitman, &c., R. Co. v. Strand, 8 Wash. 647, 1413
Whitmore v. Boston, &c., R. Co., 150 Mass. 477, 1289, 1327
v. Steamboat Carolina, 20 Mo. 513, 1647

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Whitney v. Atlantic, &c., R. Co., 44 Me. 362, 1208
v. Belden, 4 Paige Ch. (N. Y.) 140, 562
v. Chicago, &c., R. Co., 110 N. W. 912, 851a, 872
v. Commonwealth, 190 Mass. 531, 978
v. Fairbanks, 54 Fed. R. 985, 165
v. Gauche, 11 La. Ann. 432, 1420
v. Hanover Nat. Bank, 71 Miss. 1009, 556, 564
v. Madison, 23 Ind. 331, 738
v. Maine Central R. Co., 69 Me. 208, 1264
v. Milwaukee, 57 Wis. 639, 1003
v. New Haven, 32 Conn. 624, 935
v. Pullman, &c., Co., 143 Mass. 243, 1622, 1623, 1624
v. Pullman Palace Car Co., 26 Am. L. Reg. 359, 1616
v. Railroad Co., 102 Fed. 850, 1604
v. Rogers, 2 Disney (Ohio), 421, 1562
v. South Paris Mfg. Co., 39 Me. 316, 210
v. Taylor, 158 U. S. 85, 798a, 803
v. Union, &c., Co., 65 N. Y. 576, 258
v. Wyman, 101 U. S. 392, 14, 20, 190
Whitney Arms Co. v. Barlow, 63 N. Y. 62, 228, 368, 369, 371, 378, 463, 492, 493
Whitney Mfg. Co. v. Richmond, &c., R. Co., 38 S. Car. 365, 1517, 1521
Whitney, &c., Co. v. O'Rourke, 172 Ill. 177, 1064
Whitsett v. Union, &c., R. Co., 10 Colo. 243, 1086
Whitson v. Franklin, 34 Ind. 392, 668, 723, 1082, 1096ag, 1698
Whittaker v. Bent, 167 Mass. 588, 1276, 1352
v. Delaware, &c., R. Co., 126 N. Y. 544, 1300
v. Helena, 14 Mont. 124, 1178
v. Manchester, &c., R. Co., L. R. 5 C. P. 464, 1628
Whittenton, &c., Co. v. Memphis, &c., Packet Co., 21 Fed. R. 896, 1693
v. Memphis, &c., R. Co., 19 Fed. R. 273, 656
Whittier v. Chicago, &c., R. Co., 24 Minn. 394. 670b, 1188
v. Hollister, 64 Cal. 283, 1070
v. Portland, &c., R. Co., 38 Me. 26, 1113
Whittlesey v. Burlington, &c., R. Co., 97 N. W. 66, 1788
v. Delaney, 73 N. Y. 571, 537
v. Frantz, 74 N. Y. 456, 105
v. Hartford, &c., R. Co., 23 Conn. 421, 1025, 1050, 1052
v. New York, &c., R. Co., 77 Conn. 100, 1329
Whitwam v. Wisconsin, &c., R. Co., 58 Wis. 408, 1274, 1296, 1310
Whitwell v. Continental Tobacco Co., 125 Fed. 454, 1674
v. Warner, 20 Vt. 425, 491
Whitworth v. Detroit, &c., R. Co., 81 Mich. 98, 217
v. Erie, &c., R. Co., 87 N. Y. 413, 1443, 1446, 1449, 1457, 1516
v. Pelton, 81 Mich. 98, 625
Whitworth v. Shreveport Belt R. Co., 112 La. Ann. 363, 1314
W. H. Moudy Mfg. Co. v. Pennsylvania R. Co., 64 Atl. 373, 994
Whyte v. Kansas, 22 Mo. App. 409, 1032
Wibert v. New York, &c., R. Co., 19 Barb. 36, 1482
v. New York, &c., R. Co., 12 N. Y. 245, 1466, 1484
Wichita v. Missouri, &c., R. Co., 10 I. C. C. 35, 1682
Wichita Savings Bank v. Atchison, &c., R. Co., 20 Kan. 519, 303, 1416, 1419, 1429, 1430
Wichita, &c., R. Co. v. Fechheimer, 36 Kan. 45, 1048
v. Gibbs, 47 Kan. 274, 1208, 1828
v. Koch, 47 Kan. 753, 1512
v. Swenson, 25 S. W. 47, 1556a
Wick China Co. v. Brown, 164 Pa. St. 449, 633
Wickersham v. Chicago Zinc Co., 18 Kan. 481, 269
v. Crittenden, 93 Cal. 17, 361, 275
v. Orr, 9 Iowa, 253, 949
Wickes v. Adirondack Co., 2 Hun (N. Y.), 112, 484
Wickham v. Chicago, &c., R. Co., 95 Wis. 23, 1190
v. Lehigh Valley R. Co., 85 App. Div. (N. Y.) 182, 1057g
v. New Brunswick & C. Ry. Co., L. R. 1 P. C. 64, 496
Wicomico Co. v. Bancroft, 135 Fed. 977, 748, 751a
v. Bancroft, 27 Sup. Ct. 21, 750a
Wiegand v. Central R. Co., 75 Fed. R. 370, 1652, 1659
Wiese v. Union Pac. R. Co., 108 N. W. 175, 796
Wiggin v. Boston, &c., R. Co., 120 Mass. 201, 1526
v. Freewill Baptist Church, 8 Metc. (Mass.) 301, 164
Wiggins v. King, 36 N. Y. Supp. 768, 1637
v. St. Louis, &c., R. Co., 95 S. W. 311, 1239
Wiggins Ferry Co. v. Chicago, &c., R. Co., 73 Mo. 389, 374, 946, 1437, 1675
v. East St. Louis, 107 U. S. 365, 755, 776
v. East St. Louis Union Ry. Co., 107 Ill. 450, 6, 1392
v. Hellig, 43 Ill. App. 238, 1304
v. Ohio, &c., R. Co., 94 Ill. 83, 419
v. Ohio, &c., R. Co., 142 U. S. 396, 374, 526
Wight v. Shelby R. Co., 16 B. Mon. (Ky.) 4, 106, 114, 127, 128, 140
v. Springfield, &c., Co., 117 Mass. 226, 141
Wightman v. Chicago, &c., R. Co., 73 Wis. 169, 1597, 1601a
Wigmore v. Jay, 5 Exch. 354, 1288
Wigton v. Bosler, 102 Fed. 70, 570
Wilber v. Wisconsin, &c., Co., 86 Wis. 535, 1315e
Wilbrand v. Eighth Ave. R. Co., 3 Bosw. 314, 1096aq
Wilbur v. Southwest, &c., R. Co., 110 Mo. App. 689, 1820
Wilburn v. St. Louis, &c., R. Co., 36 Mo. App. 203, 1758, 1844
Wilby v. West Cornwall R. Co., 2 Hurl. & N. 703, 303, 1484

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wilcox v. Bickel, 11 Neb. 154, 620, 634
v. Chicago, &c., R. Co., 24 Minn. 269, 212, 1437, 1524, 1726
v. Eastern Ore. R. Co., 176 U. S. 51, 798a, 799
v. Parmlee, 3 Sandf. (N. Y.) 610, 1435, 1440
v. Plummer, 29 U. S. (4 Pet.) 172, 1727
v. Rome, &c., R. Co., 39 N. Y. 358, 1165, 1166, 1701
v. St. Paul, &c., R. Co., 35 Minn. 439, 992, 1033
v. San Antonio, &c., R. Co. (Tex. Civ. App.) 33 S. W. 379, 1581
Wild v. Deig, 43 Ind. 455, 938
v. Oregon, &c., R. Co., 21 Ore. 159, 1697, 1769
v. Waygood, L. R. (1892) 1 Q. B. 783, 1342, 1356
Wilde v. Jenkins, 4 Paige (N. Y.), 481, 606
v. Lynn, &c., R. Co., 163 Mass. 533, 1096cz, 1630
v. Merchants, &c., Transp. Co., 47 Ia. 272, 1423, 1503
v. Merchants' D. Co., 47 Iowa, 247, 1401, 1423, 1502
Wilder v. Aurora, &c., Co., 216 Ill. 493, 1a, 6, 1096b, 1096j, 1096be, 1096bf, 1096bg
v. Boston, &c., R. Co., 161 Mass. 387, 926
v. Chicago, &c., R. R. Co., 70 Mich. 382, 615, 660, 668, 669, 1183, 1220
v. Great Western R. Co., 104 N. W. 434, 1314, 1822
v. Hubbell, 43 Mich. 487, 1054
v. Maine Central R. R. Co., 65 Me. 332, 44, 420, 663, 668, 670b, 946, 1181, 1182, 1183, 1188
v. New Orleans, 87 Fed. 843, 563
v. Rural, &c., Co. (N. J.) 32 Atl. 676, 343
v. St. Johnsbury, &c., R. Co., 66 Vt. 636, 1476
v. Shea, 13 Bush (Ky.), 128, 626
Wilds v. Hudson River R. Co., 29 N. Y. 315, 1374, 1589
v. Hudson River R. Co., 24 N. Y. 430, 1702
v. Trustees of Phillipi Church, 63 Ind. 206, 616
Wiley v. Long Island, &c., R. Co., 76 Hun (N. Y.), 29, 1159
v. West Jersey R. Co., 44 N. J. L. 247, 1231
Wilkerson v. Consol. St. R. Co., 26 Mo. App. 144, 1096cw
v. Rahrer, 140 U. S. 545, 667
Wilkes v. Buffalo, &c., R. Co., 65 Atl. 787, 1578a
v. Ferris, 5 Johns. (N. Y.) 335, 495, 1505
v. Georgia Pac. R. Co., 79 Ala. 180, 372
Wilkes Barre v. Spring Brooks, &c., Co., 4 Lack. Leg. News (Pa.), 367, 1684b
Wilkes-Barre, &c., Bank v. Wilkes-Barre, 148 Pa. St. 601, 76
Wilkes Co. v. Coler, 113 Fed. 725, 835
v. Coler, 180 U. S. 506, 915
Wilkie v. Rochester, &c., R. Co., 12 Hun (N. Y.), 242, 165
Wilkin v. Ellensburg Water Co., 1 Wash. 236, 1058
v. First Division, &c., R. Co., 16 Minn. 271, 1019, 1029
v. First Div. St. Paul, &c., R. Co., 28 Kan. 403, 950
Wilkins v. Detroit, 46 Mich. 120, 783
v. Omaha, &c., R. Co., 96 Ia. 668, 1096ch
v. State, 113 Ind. 514, 675
v. Thorne, 60 Md. 253, 609
Wilkinson v. Bauerle, 41 N. J. Eq. 635, 278, 535, 602
v. Cheatham, 43 Ga. 258, 918
v. Culver, 23 Blatchf. (U. S.) 416, 570
v. Culver, 25 Fed. 639, 570
v. Delaware, &c., R. Co., 22 Fed. R. 353, 23
v. Dobbie, 12 Blatchf. (U. S.) 298, 540
v. Lancashire, &c., R. Co., 75 L. J. K. B. 603, 1660
v. Laughton, 8 Johns. (N. Y.) 213, 1734
v. Mayo, 3 Hen. & Mun. (Va.) 565, 1041
v. Northern Pacific R. Co., 5 Mont. 538, 797
v. Pensacola, &c., R. Co., 35 Fla. 83, 1697
v. Peru, 61 Ind. 1, 872, 893, 898
v. Rutherford, 49 N. J. L. 241, 568
v. St. Louis, &c., Co., 102 Mo. 130, 1027
v. Searcy, 76 Ala. 176, 1774
v. Trenton, 35 N. J. L. 485, 1018
v. Washington, &c., R. Co., 102 Fed. 28, 584
Will v. West Side R. Co., 84 Wis. 42, 1096cq
Willamette Iron Works v. Oregon R., &c., Co., 26 Ore. 224, 1084, 1085, 1091, 1096
Willamette, &c., Bridge Co. v. Hatch, 125 U. S. 1, 966
Willamette, &c., Co. v. Bank, 119 U. S. 191, 72, 489, 490, 613
v. Riley, 1 Ore. 183, 1072
v. Stannus, 4 Ore. 261, 115
Willard v. Boston, 149 Mass. 176, 1029a, 1030a
v. Denise, 50 N. J. Eq. 482, 226
v. Fralick, 31 Mich. 431, 684
v. Presbury, 14 Wall. 676, 781
v. Spartanburg, &c., R. Co., 124 Fed. 796, 472
Willcocks, In re, 7 Cow. (N. Y.) 402, 157, 194, 235, 263
Willer v. Bergenthal, 50 Wis. 474, 1074
Willes v. Kentucky, &c., Co., 46 S. W. 488, 1057j
v. Watts, L. R. (1892) 2 Q. B. 92, 1338
Willett v. Southern R. Co., 66 S. Car. 477, 1442
Willey v. Southeastern R. Co., 1 McN. & G. 58, 1025
Willfong v. Omaha, &c., R. Co., 116 Ia. 548, 1174
Williams, Ex parte, 18 S. Car. 299, 546
Williams v. Androscoggin, &c., R. Co., 36 Me. 201, 627

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Williams v. Atlantic Coast Line R. Co., 140 N. C. 623, 1226, 1227
v. Baltimore, &c., R. Co., 9 W. Va. 33, 1713
v. Bank, 7 Wend. (N. Y.) 541, 190, 616
v. Boice, 38 N. J. Eq. 364, 317
v. Camden, &c., R. Co., 79 Me. 543, 1048
v. Camden, &c., R. Co., 138 Fed. 571, 1366
v. Central of Ga. R. Co., 40 So. 143, 1257
v. Central R. Co., 93 App. Div. (N. Y.) 582, 1656
v. Central Railway Co., 43 Iowa, 396, 1296
v. Central, &c., R. Co., 117 Ga. 830, 1480
v. Chamberlain (Ky.), 94 S. W. 29, 179
v. Chicago, &c., R. Co., 112 Mo. 463, 1059, 1071
v. Chicago, &c., R. Co., 135 Ill. 491, 1158, 1264
v. Chicago, &c., R. Co., 153 Mo. 487, 1058, 1058a
v. Choctaw, &c., R. Co., 149 Fed. 104, 1314
v. Citizens' R. Co., 130 Ind. 71, 69, 1080, 1093, 1096n, 1096ar
v. City Electric St. R. Co., 41 Fed. 556, 6, 8, 1088, 1096d, 1096q
v. Clark, 140 Mass. 238, 1141, 1148
v. Crabb, 117 Fed. 193, 1363
v. Creswell, 51 Miss. 817, 22
v. Delaware, &c., R. Co., 116 N. Y. 628, 1271
v. Detroit, 2 Mich. 560, 951
v. Duanesburgh, 66 N. Y. 129, 843, 894
v. East Tennessee, &c., R. Co., 90 Ga. 519, 623
v. Edmunds, 75 Mich. 92, 1808
v. Evans, 87 Ala. 725, 110
v. Flood, 63 Mich. 487, 949
v. Fort Worth, &c., R. Co., 82 Tex. 553, 117
v. Fullerton, 20 Vt. 346, 310
v. German Mut. F. Ins. Co., 68 Ill. 387, 688
v. Grant, 1 Conn. 487, 1455, 1457, 1466, 1483, 1488
v. Great Western R. Co., 10 Exch. 15, 193
v. Great Western, &c., R. Co., 52 L. T. R. 250, 1547
v. Gulie, 117 N. Y. 343, 1702
v. Hartford, &c., R. Co., 13 Conn. 397, 962, 1027, 1034
v. Hitzie, 83 Ind. 303, 1049
v. Hodges, 113 N. Car. 36, 1543
v. Holland, 22 How. Pr. (N. Y.) 137, 1524
v. Houston Elec. Co., 85 S. W. 1160, 1772
v. Hutchinson, &c., R. Co., 62 Kans. 412, 1023, 1025
v. Illinois Cent. R. Co., 114 La. Ann. 13, 1315f
v. Jenkins, 11 Ga. 595, 558
v. Johnson, 30 Md. 500, 840
v. Kansas City, &c., R. Co., 96 Mo. 275, 1256, 1257, 1260, 1849
v. Keokuk, &c., Co., 3 Cent. L. J. 400, 1654
Williams v. Kerr, 113 N. Car. 306, 512
v. Louisville, &c., R. Co., 98 Ky. 247, 1256
v. Lowe, 4 Neb. 382, 99
v. Macon, &c., R. Co., 94 Ga. 709, 1035
v. Mayor, 2 Gibbs (Mich.), 560, 751, 950
v. Metropolitan St. R. Co., 114 Mo. App. 1, 1096bo, 1096bs
v. Meyer, 41 Hun (N. Y.), 545, 133
v. Michigan, &c., Co., 2 Mich. 259, 1180, 1209
v. Missouri, &c., R. Co., 3 Dill. (U. S.) 267, 23
v. Missouri, &c., R. Co., 109 Mo. 475, 1292, 1779, 1788
v. Mobile, &c., R. Co. (Miss.) 19 So. 90, 1637
v. Monroe, 125 Mo. 574, 1025
v. Morgan, 111 U. S. 684, 518, 526
v. Morgan, 15 Q. B. 782, 421
v. Natural Bridge, &c., Co., 21 Mo. 580, 977
v. New Albany, &c., R. Co., 5 Ind. 111, 1180
v. New Orleans, &c., R. Co., 60 Miss. 689, 1006, 1033
v. New York, &c., Co., 39 Conn. 509, 425
v. New York, &c., R., 16 N. Y. 97, 343, 986, 1049, 1087, 1096
v. Norfolk, &c., R. Co. 89 Va. 165, 1315a
v. Northern Lumber Co., 113 Fed. 382, 1334
v. Northern, &c., R. Co., 3 Dak. 168, 1181, 1209
v. Nottowa, 104 U. S. 209, 647, 655
v. O'Daniels, 35 Tex. 542, 1401b
v. Page, 24 Beav. 654, 13, 274
v. Parker, 136 Mass. 204, 86
v. People, 132 Ill. 574, 820, 850, 885, 894
v. Peytavin, 4 Mart. (La.) 304, 1409
v. Piggott, 5 Eng. Rail. and Canal C. 544, 13
v. Pullman Palace Car Co., 40 La. Ann. 87, 1265, 1638, 1640
v. Pullman, &c., Co., 40 La. Ann. 417, 1618, 1625, 1640
v. Rees, 9 Biss. 405, 741
v. Roberts, 88 Ill. 11, 824, 843, 850, 859, 859a, 862, 865, 876, 879, 898, 900
v. Robinson, 16 Conn. 517, 549
v. St. George's Harbor Co., 2 DeG. & J. 547, 935
v. St. Louis, &c., R. Co., 119 Mo. App. 663, 1837
v. St. Louis, &c., R. Co., 123 Mo. 573, 1373, 1810
v. Savage, &c., Co., 3 Md. Ch. 418, 87, 95
v. School District, 33 Vt. 271, 952
v. Southern, &c., R. Co., 116 N. Car. 558, 651, 653
v. Southern Pac. R. Co., 89 Pac. 599, 1049b
v. Southern R. Co., 128 N. Car. 286, 1339
v. Spartenburg R. Co., 124 Fed. 796, 468
v. Spokane, &c., Co., 39 Wash. 77, 1585, 1644
v. Spokane Falls, &c., R. Co., 42 Wash. 597, 1812

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Williams v. Taunton, 125 Mass. 34, 1700
v. Taylor, 120 N. Y. 244, 91, 133
v. Texas, &c., R. Co., 60 Tex. 205, 1262
v. Townsend, 31 N. Y. 411, 505
v. Traphagen, 38 N. J. Eq. 57, 569
v. Vanderbilt, 28 N. Y. 217, 1596
v. Walton, &c., Co., 9 Houst. 322, 1283, 1314
v. Western Union Tel. Co., 93 N. Y. 162, 76, 87, 88, 313, 319, 320
v. Western, &c., R. Co., 50 Wis. 71, 5, 938
v. Williams, 24 La. Ann. 55, 647
v. Wilmington, &c., R. Co., 93 N. Car. 42, 1419
Williams & Pearson v. Dittenhoefer, 188 Mo. 134, 1071
Williamson v. Cambridge, &c., R. Co., 144 Mass. 148, 1689i
v. Central, &c., R. Co., 56 S. E. 119, 1817
v. Chicago, &c., R. Co., 53 Iowa, 126, 362, 386, 387, 928, 941
v. Cass, 84 Ill. 361, 1053
v. Gordon Heights R. Co. (Del.) 40 Atl. 933, 1096ac, 1096bm
v. Keokuk, 44 Iowa, 88, 843, 876, 895
v. Kokomo, &c., Assn., 89 Ind. 389, 190. 513
v. New Albany, &c., R. Co., 1 Biss. (U. S.) 198, 514, 545, 546, 561
v. New Jersey Southern R. Co., 29 N. J. Eq. 311, 31, 389, 494, 497a, 520
v. New Jersey, &c., R. Co., 26 N. J. Eq. 398, 324, 497
v. New Jersey, &c., R. Co., 28 N. J. Eq. 277, 497, 498
v. Newport, &c., R. Co., 34 W. Va. 657, 1271
v. Old Colony St. R. Co. (Mass.) 77 N. E. 655, 1096ci
v. Smoot, 7 Mart. (La.) O. S. 31, 237
v. St. Louis, &c., R. Co., 100 S. W. 1072, 1642, 1645a
v. Southern R. Co., 104 Va. 146, 1250
v. State, 16 Ala. 431, 713
v. Wadsworth, 49 Barb. 294, 186
v. Washington, &c., R. R. Co., 33 Gratt. (Va.) 624, 528, 580
v. Wilson, 1 Bland. 418, 538, 561, 586
Williamson Iron Co. v. McQueen, 40 So. 306, 1353
Williamson, &c., R. Co. v. Battle, 66 N. C. 540, 949
Williamsport, &c., R. Co. v. Philadelphia, &c., R. Co., 141 Pa. St. 407, 920, 927, 933
Willing v. Baltimore R. Co., 5 Whart. (Pa.) 460, 1039
Willink v. Morris Canal & Banking Co., 3 Green (N. J.) Ch. 377, 497
Willis v. Atlantic, &c., R. Co., 120 N. Car. 508, 1689i
v. Chapman (Vt.), 35 Atl. 459, 20
v. Grand Trunk R. Co., 62 Me. 488, 1378c, 1497
v. Kentucky, &c., Co., 104 Ky. 186, 954
v. Long Island R. Co., 34 N. Y. 670, 1630
Willis v. Metropolitan St. R. Co., 63 App. Div. (N. Y.) 332, 1833
v. Missouri Pac. R. Co., 61 Tex. 432, 1339, 1364
v. Oregon, &c., R. R. Co., 11 Ore. 257, 1316
v. Second Ave. Traction Co., 189 Pa. St. 430, 1096cu, 1808
v. Toledo, &c., R. Co., 72 Mich. 160, 220, 303, 1267
v. Vicksburg, &c., R. Co., 115 La. Ann. 53, 1258
v. Winona (Minn.), 60 N. W. 814, 1091
v. Douglas, 66 Md. 99, 1075
Williston v. Mich. Southern, &c., R. Co., 13 Allen, 400, 24, 82, 314, 317
Willits v. Waite, 25 N. Y. 577, 555, 570
Willitt v. Rich, 142 Mass. 356, 1711
Willmott v. Corrigan, &c., Co., 106 Mo. 535, 1630
v. Corrigan, &c., R. Co. (Mo.) 16 S. W. 500, 1630, 1630a
Willock v. Pennsylvania R. Co., 166 Pa. St. 184, 1454, 1497, 1509
Willoughby v. Chicago, &c., Co., 50 N. J. Eq. 656, 343, 376, 480
v. Chicago, &c., R. Co., 37 Iowa, 432, 1152, 1156, 1163
v. Horridge, 12 Com. B. 742, 1548
Wills v. Baltimore, &c., R. Co., 65 Fed. R. 532, 654
v. International, &c., R. Co. (Tex. Civ. App.) 92 S. W. 273, 222
v. Lynn, &c., R. Co., 129 Mass. 351, 1096cz, 1630
Willson v. Black-bird, &c., Co., 2 Pet. 245, 658, 1668
v. Gifford, 42 Mich. 454, 1054
v. Willes Valley R. R. Co., 33 Ga. 466, 45
Willyard v. Hamilton, 7 Ohio St. 111, 952
Wilman v. People's R. Co., 4 Pen. (Del.) 260, 1096ci, 1820
Wilmer v. Atlanta, &c., R. Co., 2 Woods (U. S.), 409, 27, 507, 515, 522, 545, 549, 553, 554, 561
Wilmes v. Minneapolis, &c., R. Co., 29 Minn. 242, 992, 995
Wilmington v. Yopp, 21 N. Car. 76, 782
Wilmington City R. Co. v. Peoples R. Co. (Del.) 47 Atl. 245, 1096b
v. Wilmington, &c., Co. (Del.) 46 Atl. 12, 1096q, 1096s, 1096ac
Wilmington, &c., R. Co. v. Alsbrook, 110 N. Car. 137, 748
v. Alsbrook, 146 U. S. 279, 63, 525, 748, 749
v. Board, &c., 72 N. Car. 10, 67
v. Brunswick Co., 72 N. Car. 10, 741a
v. Commissioners, 116 N. Car. 563, 836, 850
v. Condon, 8 Gill & J. (Md.) 443, 1041, 1053
v. Dominguez, 50 Cal. 505, 1042
v. Downard (Del.), 14 Atl. 720, 525
v. High, 89 Pa. St. 282, 1055
v. Ling, 18 S. Car. 116, 232
v. Onslow County, 116 N. Car. 563, 823a, 859
v. Reid, 13 Wall. (U. S.) 264, 490, 742, 750, 770
v. Robeson, 5 Ired. (N. Car.) 391, 115
v. Smith, 99 N. Car. 131, 1042
v. Stauffer, 60 Pa. St. 374, 993, 996

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wilmington, &c., R. Co. v. Wright, 5 Jones (N. Car.), 304, 102
Wilmington, &c., Co. v. Adams Express Co., 8 Houst. (Del.) 329, 1406, 1408
Wilmot v. Oregon R. Co., 87 Pac. 528, 1194
Wilsey v. Louisville, &c., R. Co., 83 Ky. 511, 1595, 1602, 1603, 1627a, 1702
Wilson v. Adams Exp. Co., 27 Mo. App. 360, 1527, 1535
v. Allen, 6 Barb. (N. Y.) 542, 563
v. American Palace Car Co., 64 N. J. L. 534, 165
v. Anderton, 1 B. & Ad. 450, 1537
v. Atlanta, &c., R. Co., 16 S. Car. 587, 1239
v. Atlanta & C. R. Co., 82 Ga. 386, 1404, 1405, 1462
v. Atlantic, &c., R. R. Co., 2 Fed. 459, 98
v. Atlantic, &c., R. Co., 129 Fed. 774, 1396, 1397
v. Baltimore, &c., R. Co., 32 Mo. App. 682, 1622, 1623, 1654
v. Baltimore, &c., R. Co., 5 Del. Ch. 524, 951, 1010, 1019
v. Barney, 5 Hun (N. Y.), 257, 586
v. Bauman, 80 Ill. 493, 1523
v. Beckwith, 117 Mo. 61, 813
v. Black Bird Creek Marsh Co., 2 Pet. (U. S.) 245, 1057c
v. Board, 68 Ind. 507, 858
v. Boyce, 2 Dill. 539, 503
v. Boyce, 92 U. S. 320, 495, 503, 813
v. California, &c., Co., 95 Mich. 117, 557
v. California, &c., R. Co., 94 Cal. 166, 1463, 1464, 1517, 1527a, 1711
v. Caneadea, 15 Hun (N. Y.), 218, 865
v. Central Bridge Co., 9 R. I. 590, 608
v. Chalfant, 15 Ohio, 248, 949
v. Chesapeake, &c., Railroad, 21 Gratt. 654, 1445, 1501, 1655, 1656, 1658, 1661
v. Chesapeake, &c., R. Co., 27 Ky. 778, 1166
v. Chippewa, &c., R. Co., 120 Wis. 636, 1762
v. Citizens St. R. Co., 105 Tenn. 74, 1096ce
v. Cunningham, 3 Cal. 241, 1, 1a
v. Denver, &c., R. Co., 7 Colo. 101, 1689c, 1697
v. Des Moines, &c., R. Co., 67 Iowa, 509, 996
v. Dickson, 2 Barn. & Ald. 2, 1571
v. Duplin, &c., Co., 139 N. C. 395, 149
v. D. W. Alderman, &c., Co., 69 S. Car. 176, 1049a
v. European, &c., R. Co., 67 Me. 358, 1003, 1023, 1025, 1049
v. Everett, 139 U. S. 616, 1825
v. Freeman, 3 Camp. 527, 1510
v. Furness R. Co., L. R. 9 Eq. Cas. 28, 42
v. Gaines, 103 U. S. 417, 495, 525
v. Genesee Mut. Ins. Co., 14 N. Y. 418, 212
v. Grand Trunk R. Co., 56 Me. 60, 1558, 1649, 1651, 1652a, 1653, 1656
Wilson v. Groelle, 83 Wis. 530, 1702
v. Hall, 99 Va. 353, 529
v. Hamilton, 4 Ohio St. 722, 1548, 1551
v. Hamilton Co., 68 Ind. 508, 872
v. Hardesty, 1 Md. Ch. 66, 843
v. Hathaway, 42 Iowa, 173, 1019, 1020
v. Hundley, 96 Va. 96, 132, 181
v. Joseph, 107 Ind. 490, 627
v. Kansas City, &c., R. Co., 60 Mo. 184, 1547
v. Kiesel, 9 Utah, 397, 183
v. Kings County Elev. R. Co., 24 N. Y. S. 81, 213
v. Kings County El. R. Co., 114 N. Y. 487, 220
v. Kymer, 1 M. & S. 157, 1559
v. Lake Shore, &c., R. Co., 108 N. W. 1021, 1269
v. Louisville, &c., R. Co., 85 Ala. 269, 1269, 1343, 1349
v. Louisville, &c., R. Co., 40 So. 941, 1761
v. McNamee, 102 U. S. 572, 667, 1670
v. Merry, L. R. 1 H. Sc. App. 326, 1288, 1316, 1317, 1342
v. Metropolitan, &c., R. Co., 120 N. Y. 145, 288
v. Michigan, &c., R. Co., 94 Mich. 20, 1282, 1294, 1314
v. Mills Valley R. Co., 33 Ga. 466, 140
v. National Bank, 103 U. S. 770, 857
v. New Orleans, &c., R. Co., 63 Miss. 352, 1801
v. New York, &c., R. Co., 18 R. I. 491, 1157
v. New York, &c., R. Co., 18 R. I. 598, 1164
v. New York, &c., R. Co., 27 Hun (N. Y.), 149, 1551
v. Norfolk, &c., R. Co., 90 Cal. 69, 1205, 1213
v. Northern, &c., R. Co., 26 Minn. 278, 1642, 1799
v. Northern Pac. R. Co., 5 Wash. 621, 1823
v. Ohio, &c., R. Co., 64 Ill. 542, 52
v. Oswego Twp., 151 U. S. 56, 647, 650
v. Pennsylvania R. Co., 132 Pa. St. 27, 1800
v. Pittsburgh, &c., Coal Co., 43 Pa. St. 424, 180
v. Rockford, &c., R. Co., 59 Ill. 273, 995
v. St. Louis, &c., Co., 108 Mo. 588, 98
v. St. Louis & S. F. R. Co., 29 Mo. App. 301, 172
v. St. Louis, &c., R. Co., 120 Mo. 45, 181, 182, 186
v. St. Paul, &c., Railway Co., 41 Minn. 56, 949
v. Salamanca, 99 U. S. 499, 886, 898, 900, 913
v. Sanitary Dist. 133 Ill. 443, 878
v. Seligman, 144 U. S. 41, 24
v. Shipman, 34 Neb. 573, 1049
v. Southern R. Co., 73 S. Car. 481, 1358
v. Southern Pac. R. Co., 13 Utah, 352, 1820
v. Spencer, 1 Randolph (Va.), 76, 381, 382

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wilson v. Stockholders, 43 Pa. St. 424, 186
v. Tesson, 12 Ind. 285, 60, 612
v. Tootle, 55 Fed. 211, 1360
v. Union Sav. Assn., 42 Fed. R. 421, 865
v. Trenton, &c., R. Co., 56 N. J. Eq. 783, 13
v. Vaughn, 23 Fed. 229, 1798
v. Wabash, &c., R. Co., 23 Mo. App. 50, 1556
v. Ward, &c., Co., 67 Fed. R. 674, 813
v. Watertown, 3 Hun (N. Y.), 508, 1092
v. Weber, 96 Ill. 454, 738
v. Welch, 157 Mass. 77, 537
v. Welch, 12 Ore. 353, 977
v. Western U. Tel. Co., 34 Fed. R. 561, 654
v. Willimantic Linen Co., 50 Conn. 433, 1321
v. Wills Valley R. R. Co., 33 Ga. 466, 45, 140
v. Wilmington, &c., R. Co., 10 Rich. L. (S. Car.) 52, 1190, 1213
v. Wilson, 26 Pa. St. 393, 1692
v. Winchester, &c., R. Co., 99 Fed. 642, 29
v. Winona, &c., R. Co., 37 Minn. 326, 1272
v. New York, &c., R. Co., 11 Gill & J. (Md.) 58, 1059
v. York, &c., R. Co., 18 Eng. L. & Eq. 557, 1406
Wilson, &c., Co. v. Louisville, &c., R. Co., 71 Mo. 203, 1464, 1524
Wiltbank's Appeal, 64 Pa. St. 256, 307, 320
Wilte v. Stifel, 126 Mo. 295, 1259
Wiltman v. Milwaukee, &c., R. Co., 51 Wis. 89, 948a
Wilton v. Atlantic, &c., Co., 10 C. B. N. S. 453, 1661
v. Middlesex R. Co., 125 Mass. 130, 1822
Wiltz v. Peters, 4 La. Ann. 339, 245
Wimber v. Iowa, &c., R. Co., 114 Ia. 551, 1783, 1812
Winamac v. Hess, 151 Ind. 229, 891
Winch v. Birkenhead, &c., Ry. Co., 5 DeGex & S. 562, 493
Winchell v. National, &c., Co., 64 Vt. 15, 213
Winchester v. Baltimore, &c., R. Co., 4 Md. 231, 226, 268
v. Hinsdale, 12 Conn. 88, 1045
Winchester, &c., R. Co. v. Colfelt, 27 Gratt. (Va.) 777, 520
v. Commonwealth, 55 S. E. 692, 676, 677, 920, 929, 1670a
Winchester, &c., Turnp. Co. v. Vimont, 5 B. Mon. (Ky.) 1, 385
Winchester, &c., Co. v. Clarke County Ct., 3 Met. (Ky.) 140, 867
Wincock v. Turpin, 96 Ill. 135, 183
Wind v. Iler (Iowa), 61 N. W. 1001, 1414
Winder, Ex parte, L. R. 6 Ch. Div. 696, 1025
Windham v. Litchfield, 22 Conn. 226, 1027
Windham, &c., Inst. v. Sprague, 43 Vt. 502, 185
Windsor v. Delaware, &c., Co., 92 Hun (N. Y.), 127, 948a
v. Field, 1 Conn. 279, 1047
Windsor v. Hallette, 97 Ill. 204, 859a
v. McVeigh, 93 U. S. 274, 1019
v. President, &c., of Delaware, &c., Co., 36 N. Y. S. 863, 1109, 1112
v. St. Paul, &c., R. Co., 37 Wash. 156, 352
Windsor Electric Light Co. v. Tandy, 66 Vt. 248, 109, 149
Winebiddle v. Pennsylvania R. Co., 2 Grant's Cas. (Pa.) 32, 1030
Winer v. Connecticut River, &c., Co., 153 Mass. 398, 1288a
Wines v. Rio Grande, &c., R. Co., 9 Utah, 228, 1226
Winfield v. Henning, 21 N. J. Eq. 188, 360
Wing v. Carr, 86 Ill. 347, 1072
v. New York, &c., R. Co., 1 Hilt. (N. Y.) 235, 1457, 1474, 1475
Wingard v. Banning, 39 Cal. 543, 1572, 1705
Wingert v. Carpenter, 101 Mich. 395, 1373
Winget v. Quincy Building Assn., 128 Ill. 67, 408, 619
Wink v. Weller, 41 Ill. App. 336, 1303
Winkelman v. Chicago, 213 Ill. 360, 1033
Winkfield v. Packingham, 2 C. & P. 598, 1406
Winkiemans v. Des Moines, &c., R. Co., 62 Iowa, 11, 960, 1037, 1038
Winkler v. Philadelphia, &c., R. Co., 4 Pen. (Del.) 80, 1815
Winn v. Macon, 21 Ga. 275, 814
Winnebago, &c., Co. v. Wisconsin, &c., Co., 81 Wis. 389, 1019, 1023
Winnegar v. Central, &c., R. Co., 85 Ky. 547, 1265, 1577, 1591, 1639
Winnetha v. Chicago, &c., R. Co., 204 Ill. 297, 1096s
Winnisimmet Co. v. Grueby, 111 Mass. 543, 1036
Winnt v. International, &c., R. Co., 74 Tex. 32, 1368
Winona v. Burke, 23 Minn. 254, 1698
Winona, &c., R. Co. v. Blake, 94 U. S. 180, 662, 1662c
v. Barney, 113 U. S. 618, 794, 796
v. Chicago, &c., R. Co., 50 Minn. 300, 1119
v. United States, 165 U. S. 483, 803
v. Waldron, 11 Minn. 515, 668, 951, 982, 987, 990a, 993, 995, 996, 1038
v. Watertown, 4 S. Dak. 323, 632, 966, 1104
v. Watertown, 1 S. Dak. 46, 781
Winous, &c., Club v. Caspersen, 193 U. S. 189, 951, 980
Winsford, &c., Board v. Cheshire, &c., L. R. 24 Q. B. D. 456, 682
Winslow v. Baltimore, &c., R. Co., 188 U. S. 646, 1049a
v. Cooper, 104 Ill. 235, 949
v. Fletcher, 53 Conn. 390, 78, 626
v. Minnesota, &c., R. Co., 4 Minn. 313, 1003
v. People, 117 Ill. 152, 1825
v. Vermont, &c., R. Co., 42 Vt. 700, 1464, 1523, 1526, 1535
Winsor, Ex parte, 3 Story C. C. 411, 135, 258
Winsor v. Bailey, 55 N. H. 218, 167

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Winsor Coal Co. v. Chicago, &c., Co., 52 Fed. R. 716, 689, 701, 1564
Winstanley v. Chicago, &c., R. Co., 72 Wis. 375, 1155, 1163, 1167
Winston v. Brooks, 4 L. R. A. 507, 110
v. Dorsett, &c., Co., 27 Ill. App. 546, 181
v. Dorsett, &c., Co., 129 Ill. 64, 102
v. Ft. Worth, 47 S. W. 740, 879
v. Tennessee, &c., R. Co., 1 Baxter (Tenn.), 60, 865, 872, 875, 893
v. Westfeldt, 22 Ala. 760, 882
Winter v. Central Iowa R. Co., 80 Iowa, 443, 1689l, 1696, 1698, 1757, 1761
v. Hub Min. Co., 57 Fed. 287, 13
v. Kansas City R. Co., 160 Mo. 159, 1377
v. Muscogee R. R., 11 Ga. 438, 45, 144, 341
Winterport G. & B. Co. v. Schooner Jasper, 1 Holmes (C. C.), 99, 1420
Winters v. Armstrong, 37 Fed. R. 508, 87
v. Hannibal, &c., R. Co., 39 Mo. 468, 1633
v. Kansas City, &c., R. Co., 99 Mo. 509, 1096cb, 1096ce, 1096cp, 1262
Winthrop Iron Co. v. Meeker, 109 U. S. 180, 540
Wirds v. Vierkandt, 108 N. W. 108, 1057f
Wirstlin v. Chicago, &c., R. Co., 24 Ia. 170, 1185
Wischam v. Rickards, 136 Pa. St. 106, 1305
Wisconsin v. Duluth, 96 U. S. 379, 1671
v. Pelican Insurance Co., 127 U. S. 265, 646
Wisconsin Cent. R. Co. v. Kneale, 79 Wis. 89, 1035a
Wisconsin Trust Co. v. Robinson, &c., Co., 68 Fed. 778, 1075
Wisconsin, &c., R. Co. v. Cornell University, 49 Wis. 162, 1053
v. Cornell University, 52 Wis. 537, 973, 1053
v. Jacobson, 179 U. S. 287, 662, 682a, 954a, 1662c
v. Powers, 191 U. S. 379, 750a, 755, 765, 768
v. Price Co., 133 U. S. 496, 796, 798, 799
v. Ross, 142 Ill. 1, 476
v. Taylor Co., 52 Wis. 37, 736, 747
v. Wisconsin Riv. L. Co., 71 Wis. 94, 501
Wise v. Ackerman, 76 Md. 375, 1303
v. Bigger, 79 Va. 269, 643
v. Covington, &c., R. Co., 13 Ky. L. 110, 1265
v. Joplin, &c., R. Co., 85 Mo. 178, 1242
v. South Covington, &c., R. Co. (Ky.) 34 S. W. 894, 1638
Wiseman v. Northern Pac. R. Co., 20 Ore. 425, 1785
Wishard v. Hansen, 89 Ia. 307, 91
Wisner, Ex parte, 203 U. S. 449, 655a, 656a
Wist v. Grand Lodge, 22 Ore. 271, 193
Wiswall v. Sampson, 14 How. (U. S.) 52, 553, 563, 565, 571, 572
Wiswell v. Doyle, 160 Mass. 42, 1262
Witbeck v. Holland, 45 N. Y. 13, 1409, 1518
v. Holland, 45 N. Y. 262, 1489
v. Schuyler, 31 How. Pr. (N. Y.) 97, 1653
Witham v. Bangor, &c., R. Co., 96 Me. 326, 1179e
v. Blood, 124 Ia. 695, 1689e
v. Osburn, 4 Ore. 318, 952
Withee v. Somerset Trac. Co., 98 Me. 61, 1315g
Witherell v. Milwaukee, &c., R. Co., 24 Minn. 410, 1180, 1204
Withers v. Edmonds, 26 Tex. Civ. App. 189, 159
v. North, &c., R. Co., 27 L. J. Exch. 417, 1584, 1634
Witherspoon v. Duncan, 4 Wall. (U. S.) 210, 1003c
v. Texas Pac. R. Co., 48 Tex. 309, 531
Withey v. Pere Marquette R. Co., 141 Mich. 412, 1647, 1650a, 1660
Witmark v. New York El. R. Co., 149 N. Y. 393, 1003b, 1036
Witt v. East Tennessee, &c., R. Co., 99 Tenn. 442, 1426, 1429a
v. St. Paul, &c., R. Co., 35 Minn. 404, 1033
Witter v. Mississippi, &c., R. R. Co., 20 Ark. 463, 45, 250, 252
Witters v. Sowles, 42 Fed. R. 767, 107
v. Sowles, 38 Fed. 700, 93
Witting v. St. Louis, &c., R. Co., 101 Mo. 631, 1497, 1516, 1711
v. St. Louis, &c., R. Co., 28 Mo. App. 103, 1516
Wiwiroski v. Lake Shore, &c., R. Co., 124 N. Y. 420, 1701
Woas v. St. Louis Transit Co., 198 Mo. 664, 1644
Woburn, Inhabitants of, v. Boston, &c., R. Co., 109 Mass. 283, 1092
Woehrle v. Minnesota, &c., Co., 82 Minn. 165, 1171
Wolska v. St. Paul, &c., R. Co., 80 Minn. 364, 1096bq
W. O. Johnson & Sons v. Des Moines, &c., R. Co. (Ia.) 105 N. W. 509, 230
Wolcott v. Des Moines Company, 5 Wall. 681, 798
v. New York, &c., R. Co., 68 N. J. L. 421, 1154
Wolf v. American, &c., Co., 43 Mo. 421, 1457, 1488, 1718, 1743
v. Chicago, &c., R. Co., 111 N. W. 514, 1642a
v. City, &c., R. Co., 45 Ore. 446, 1096cj
v. Des Moines, &c., R. Co., 64 Iowa, 380, 1058
v. East Tennessee, &c., R. Co., 88 Ga. 210, 1271a
v. Hough, 22 Kan. 659, 1569, 1570
v. Pennsylvania R. Co., 195 Pa. St. 91, 620
v. Summers, 2 Camp. 631, 1662
Wolfard v. Fisher, 84 Pac. 850, 948, 948a, 1096
Wolfe v. Covington, &c., R. Co., 15 B. Monr. 404, 1008
v. Missouri, &c., R. Co., 97 Mo. 473, 1537
v. Third Ave. R. Co., 67 App. Div. 605, 1096ct

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Wolfe v. Underwood, 97 Ala. 375, 53
Wolff v. Archibald, 14 Fed. 369, 655
v. Central, &c., Co., 68 Ga. 653, 1596, 1658
v. McGavock, 29 Wis. 290, 1058
v. New Orleans, 103 U. S. 358, 842
Wolford v. Oakley, 1 Sheldon (N. Y.), 261, 1017
Wolsey v. Chapman, 101 U. S. 755, 793
v. Lake Shore, &c., R. Co., 33 Ohio St. 227, 201, 202
Wolski v. Knapp, &c., Co., 90 Wis. 178, 1283
Wonder v. Baltimore, &c., R. Co., 32 Md. 411, 1327
Wonderly v. Booth, 36 N. J. L. 250, 190
Wontner v. Shairp, 4 Com. B. 404, 111a
Wood, In re, 181 N. Y. 93, 1096i
Wood, Ex parte, 155 Fed. 190, 1688c
Wood's Case, L. R. 15 Eq. 236, 113
Wood v. American National Bank, 100 Va. 306, 1774
v. Augustin, 61 Mo. 46, 527a
v. Beach, 156 U. S. 548, 803
v. Boney (N. J.), 21 Atl. 574, 262
v. Binghamton, 56 N. Y. S. 105, 1096an
v. Brooklyn City R. Co., 38 N. Y. Supp. 1077, 1630
v. Burlington, &c., R. Co., 104 U. S. 329, 795
v. Charing Cross, &c., Co., 33 Beav. (Eng.) 290, 1048
v. Chicago, &c., R. Co., 59 Iowa, 196, 208, 303, 1406, 1437, 1689h
v. Chicago, &c., R. Co., 39 Fed. R. 52, 1058, 1059
v. Commissioners, 122 Mass. 394, 1000, 1026
v. Consolidated Electric L. Co., 36 Fed. R. 538, 507
v. Coosa, &c., R. Co., 32 Ga. 273, 106, 108
v. Corry, &c., Co., 44 Fed. R. 146, 89, 164, 167, 373
v. Crocker, 18 Wis. 345, 1464, 1520, 1528
v. Detroit, &c., R. Co., 52 Mich. 402, 1095, 1265
v. Devin, 13 Ill. 746, 1647
v. Dummer, 3 Mason (U. S.), 308, 110, 182, 548, 613
v. Erie, &c., R. Co., 72 N. Y. 196, 1692
v. Ft. Wayne, 119 U. S. 312, 1060
v. Goodwin, 49 Me. 260, 27
v. Guarantee, &c., Co., 128 U. S. 416, 487, 590
v. Heiges 83 (Md.), 257, 1697
v. Hubbard, 62 Fed. R. 753, 1558
v. Lary, 47 Hun (N. Y.), 550. 319
v. Louisiana, 5 Dill. 122, 909, 911
v. Louisville, &c., R. Co., 88 Fed. 44, 1826
v. Maine Cent. R. Co., 99 Am. St. 366, 1450, 1651, 1652a, 1656
v. Michigan Air Line Co., 90 Mich. 334, 949
v. Milwaukee, &c., R. Co., 27 Wis. 541, 1443, 1443a, 1464
v. Ontario, &c., Co., 24 U. C. C. P. 334, 203, 216
v. Oregon, &c., Co., 55 Fed. R. 901, 553, 561, 586
Wood v. Perry, 1 Wright (Ohio), 240, 1419
v. Railroad, 181 Mo. 433, 1628a
v. Richmond, &c., R. Co., 100 Ala. 660, 1641
v. St. Louis, &c., R. Co., 58 Mo. 109, 1219
v. Seattle, 23 Wash. 1, 322, 322a, 1096v
v. Southern R. Co., 118 N. Car. 1056, 1512
v. Southern R. Co., 104 Va. 650, 1273
v. Steele, 6 Wall. (U. S.) 80, 1505a
v. Stourbridge R. Co., 16 C. B. N. S. 222, 996, 1113
v. Truckee, &c., Co., 24 Cal. 474, 72, 520
v. Westborough, 140 Mass. 403, 1003, 1003b
v. Whelen, 93 Ill. 153, 14, 42, 251, 491, 495, 498
v. Wiley, &c., Co., 56 Conn, 87, 18
v. Wilmington City R. Co., 64 Atl. 246, 1778
Woodard v. Michigan, &c., R. Co., 10 Ohio St. 121, 1372
v. New York, &c., R. Co., 106 N. Y. 369, 1162
Woodburn v. Cincinnati, &c., R. Co., 40 Fed. R. 731, 1497
Woodbury v. District of Columbia, 5 Mackey (D. C.), 127, 1814
v. Frink, 14 Ill. 279, 1535, 1726
Woodbury, &c., Co. v. Loudenslager (N. J.) 35 Atl. R. 436, 10
Woodcliff Land Imp. Co. v. New Jersey, &c., R. Co., 72 N. J. L. 137, 965a, 1022
Wooden v. Western, &c., R. Co., 126 N. Y. 10, 1364, 1366, 1373
v. Western, &c., Co., 147 N. Y. 508, 1276, 1317
v. Western, &c., R. Co., 18 N. Y. Supp. 768, 1295
Woodfall's Case, 3 DeG. & Sm. 63, 110
Woodfin v. Ashville, &c., Ins. Co., 6 Jones Cas. (N. Car.) 558, 192
Woodfolk v. Nashville, &c., R. Co., 2 Swan. (Tenn.) 422, 982, 988, 995, 1051
Woodford v. Bedford, &c., R. Co., 8 Phila. (Pa.) 94, 488
Woodhouse v. Burlington, 47 Vt. 300, 950
v. Crecent Mut. Ins. Co., 35 La. Ann. 238, 92
Wood Hydraulic, &c., Co. v. King, 45 Ga. 34, 249, 262, 264
Woodland v. Union Pacific (Utah), 26 Pac. R. 298, 1218
Woodley v. Metropolitan R. Co., L. R. 2 Exch. Div. 384, 1298
v. Metropolitan R. Co., 46 L. J. Exch. 521, 1304
Woodman v. Chicago, &c., R. Co., 23 Wis. 400, 1359
v. Metropolitan R. Co., 149 Mass. 335, 1063, 1096cc
v. Nottingham, 49 N. H. 387, 1705
v. Tufts, 9 N. H. 88, 1057d
Woodruff v. Adair, 131 Ala. 530. 530
v. Bowen, 136Ind. 431, 1248, 1250
v. Catlin, 54 Conn. 277, 671, 1109
v. Dubuque, &c., R. R. Co., 30 Fed. R. 91, 162, 634

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Woodruff v. Erie R. Co., 25 Hun (N. Y.), 246, 67
v. Erie R. Co., 93 N. Y. 609, 383, 385, 428, 434, 463, 579, 580, 582
v. Hough, 91 U. S. 596, 1062
v. McDonald, 33 Ark. 97, 103
v. New York, &c., R. Co., 59 Conn. 63, 652, 671, 678, 681, 698, 950
v. Northern Pac. R. Co., 47 Fed. 689, 1257, 1260
v. Noyes, 15 Conn. 335, 1539, 1539a
v. Okolona, 57 Miss. 806, 876, 896
v. Parham, 8 Wall. 123, 756, 759, 764, 1663, 1665
v. Perry, 103 Cal. 611, 751
v. Robb, 19 Ohio 212, 501
v. Rochester, &c., R. Co., 108 N. Y. 39, 1058, 1060
v. State, 66 Miss. 298, 879
Woodruff, &c., Co. v. Diehl, 84 Ind. 474, 1622, 1623, 1627
v. State, 114 Ind. 155, 690
Woods v. Armstrong, 54 Ala. 150, 381, 383
v. Brown, 93 Ind. 164, 1049
v. Lawrence County, 1 Black (U. S.), 386, 486, 836, 898, 909
v. Lindvall, 48 Fed. R. 62, 1320
v. Memphis, &c., R. R. Co., 5 Ry. & Corp. L. J. 372, 159
v. Pittsburgh, &c., R. Co., 99 Pa. St. 101, 511, 512, 515
v. Wicks, 7 Lea (Tenn.), 40, 189
Woodson v. Milwaukee, &c., R. Co., 21 Minn. 60, 1221, 1242
v. Murdock, 22 Wall. 351, 503
Woodstock Iron Co. v. Richmond, &c., Extension Co., 129 U. S. 643, 122, 275, 386, 387, 928, 1058, 1663, 1675
Woodstock R. Co. v. Tupper, 12 New Brunswick, 457, 1024
Woodward v. Brooks, 128 Ill. 222, 555
v. Calhoun County, 2 Cent. L. Jour. 396, 828
v. Central Vermont R. Co., 180 Mass. 599, 950
v. Chicago, &c., R. Co., 23 Wis. 400, 1372
v. Chicago, &c., R. Co., 145 Fed. 577, 1224, 1242, 1245a, 1246
v. Commonwealth (Ky.), 35 Am. & Eng. R. R. Cas. 498, 21
v. Ft. Worth, &c., R. Co., 79 S. W. 896, 1236
v. Illinois Central Railroad, 1 Biss. 403, 1435, 1558
v. Michigan, &c., R. Co., 10 Ohio St. 121, 1366
v. Oregon R. Co., 18 Or. 289, 1689c
v. Seely, 11 Ill. 157, 949
v. Webb, 65 Pa. St. 254, 1008
Woodward Iron Co. v. Andrews, 114 Ala. 243, 1356
Woodward Lumber Co. v. Vizard, 144 Fed. 982, 656a
Woodwine v. Woodrum, 19 W. Va. 67, 527a
Woodworth v. Blair, 112 U. S. 8, 511, 512
v. St. Paul, &c., R. Co., 18 Fed. R. 282, 1288, 1296
Woolard v. Nashville, 108 Tenn. 353, 1053
Woolery v. Louisville, &c., R. Co., 107 Ind. 381, 1776
v. Grayson, 110 Ind. 149, 515
v. Louisville, &c., R. Co., 107 Ind. 381, 1173, 1582, 1629, 1642
Wooley v. Grand, &c., R. Co., 83 N. Y. 121, 1096cb
v. Louisville, &c., R. Co., 93 Ky. 223, 849, 860
Woolf v. Chisholm, 30 Fed. 881, 653
v. Washington, &c., R. Co., 37 Wash. 491, 1163, 1166, 1175, 1179
Woollaston's Case, 4 DeG. & J. 437, 154
Woolsey v. Chicago, &c., R. Co., 39 Neb. 798, 1580, 1581, 1629, 1623
v. New York Ele. R. Co., 134 N. Y. 323, 1046a
Woolson v. Northern, &c., Co., 19 N. H. 267, 1180, 1209
Woolwine v. Chesapeake, &c., R. Co., 36 W. Va. 329, 1248, 1250
Woonsocket Union R. Co. v. Sherman, 8 R. I. 564, 115, 121, 122
Wooster v. Broadway, &c., R. Co., 72 Hun (N. Y.) 197, 1790
v. Chicago, &c., R. Co., 74 Iowa, 593, 1209
v. Sugar River, &c., R. Co., 57 Wis. 311, 991, 996, 1003, 1025
v. Tarr, 8 Allen (Mass.) 270, 1559, 1709
Wooten v. Railroad, 79 Miss. 26, 1628
v. Wilmington, &c., R. Co., 128 N. C. 119, 94
Wooters v. International R. Co., 54 Tex. 294, 125
Worcester v. Essex Bridge Co., 7 Gray (Mass.), 457, 192
v. Great Falls, &c., Co., 41 Me. 159, 994
v. Norwich, &c., R. Co., 109 Mass. 112, 954a
v. Norwich, &c., R. R. Co., 109 Mass. 103, 45
v. Western, &c., R. Co., 4 Metc. (Mass.) 564, 1391
v. Forty-second St. R. Co., 50 N. Y. 203, 1056, 1092
v. Norwich, &c., R. Co., 109 Mass. 103, 461, 671, 1453
v. Western R. Co., 4 Met. (Mass.) 564, 33, 415, 1391
Worcester Agricultural Society v. Worcester, 116 Mass. 189, 784
Worcester Gas Light, &c., Co. v. County Comrs., 138 Mass. 289, 970
Worcester & Nashua R. R. Co. v. Hinds, 8 Cush. (Mass.) 110, 18, 111a
v. Railroad Coms., 118 Mass. 561, 39, 966, 974, 1054
Word v. Word, 90 Ala. 81, 556
Worden v. Canadian Pac. R. Co., 13 Ont. R. 652, 1536
v. Humeston, &c., R. Co., 72 Iowa, 201, 1361a, 1363, 1689l
v. Humeston, 76 Ia. 310, 1813
Work v. Chicago, &c., R. Co., 105 Fed. 874, 1179b
Workingmen's Bank v. Converse, 29 La. Ann. 369, 408

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Workingmen's, &c., Council v. United States, 57 Fed. 85, 633
Workman v. Southern Pac. R. Co., 129 Cal. 536, 1088
Work v. Junction R. Co., 5 McLean (U. S. C. C.), 425, 923, 929, 930
World, &c., Co. v. Hamilton, &c., Co., 123 Mich. 620, 89
Worlds v. Georgia R. Co., 99 Ga. 283, 1304
Wormell v. Maine, &c., R. Co., 79 Me. 397, 1269, 1288, 1289, 1304, 1309, 1314
Wormsdorf v. Detroit, &c., R. Co., 75 Mich. 472, 1689d, 1697
Wormser v. Metropolitan St. R. Co., 184 N. Y. 83, 167
Worster v. Forty-second St. R. Co., 50 N. Y. 203, 1096cc
Worth v. Wilmington, &c., Co., 89 N. Car. 291, 741
Worth, &c., R. Co. v. Davis, 4 Tex. Civ. App. 351, 1641
v. Dennis (Tex.), 33 S. W. 884, 1169
v. Swan, 97 Tex. 338, 1183
Worthen v. Griffith, 59 Ark. 562, 110, 600
Worthington v. Central, &c., R. Co., 64 Vt. 107, 1628, 1630
v. Goforth, 124 Ala. 656, 1304
Wortman v. Kleinschmidt, 12 Mont. 316, 669
Wortsman v. Wade, 77 Ga. 651, 647
Wray v. Chicago, &c., R. Co., 86 Ill. 424, 948
v. Evans, 80 Pa. St. 102, 1063
v. Jamison, 10 Humph. (Tenn.) 185, 568
v. Knoxville, &c., R. Co., 113 Tenn. 544, 988, 995, 996, 1036b, 1038
Wren v. Eastern, &c., R. Co., 1 L. T. R. (N. S.) 5, 1484, 1520
v. Louisville, &c., R. Co. (Ky.) 20 S. W. 215, 1257
v. Walsh, 57 Wis. 98, 1049
Wright v. Austin, 101 Am. St. 102, 1084
v. Bishop, 88 Ill. 302, 893
v. Boston, 9 Cush. 233, 782
v. Boston, &c., R. Co., 129 Mass. 440, 1253, 1761
v. Boston, &c., R. Co., 142 Mass. 296, 1112, 1154, 1250, 1252, 1260, 1261
v. Boughton, 22 Barb. (N. Y.) 561, 1436
v. Bundy, 11 Ind. 398, 264, 491, 501, 634
v. Caldwell, 3 Mich. 51, 1410, 1653, 1660
v. California Cent. R. Co., 78 Cal. 360, 1576, 1637
v. Caldwell, 3 Mich. 51, 1653
v. Carter, 3 Dutcher (N. J.), 76, 41
v. Central, &c., Co., 67 Cal. 532, 160
v. Central R. Co., 78 Cal. 360, 1847
v. Chicago, &c., R. Co., 4 Colo. App. 102, 1639
v. Chicago, &c., R. Co., 19 Neb. 175, 624, 627
v. Chicago, &c., R. Co., 170 Ind. 583, 1288, 1311, 1312
v. Cincinnati, &c., R. Co., 94 Ky. 114, 1179b
Wright v. Crawfordsville, 142 Ind. 636, 1378b, 1807
v. Davidson, 181 U. S. 371, 1019
v. Defress, 8 Ind. 298, 677
v. Detroit, &c., R. Co., 77 Mich. 123, 1172, 1261
v. Dunham, 13 Mich. 414, 688
v. Fire Insurance Co., 12 Mont. 474, 616
v. Glenn Falls, &c., R. Co., 48 N. Y. S. 1026, 302
v. Great Northern, &c., R. Co., 8 Irish L. R. 257, 1173
v. Hughes, 119 Ind. 324, 373
v. Illinois Cent. R. Co., 119 Ill. App. 132, 1689e
v. Kansas City, 187 Mo. 679, 1807
v. Kentucky, &c., R. Co., 117 U. S. 72, 1058
v. Lee, 2 S. Dak. 596, 164, 602
v. London, &c., R. Co., L. R. 1 Q. B. Div. 252, 1305
v. Malden, &c., Co., 4 Allen (Mass.), 283, 1262
v. McCormack, 17 Ohio St. 86, 182, 187
v. McKee, 37 Vt. 161, 1713
v. Midland R. Co., 42 L. J. Ex. 89, 1635
v. Milwaukee, &c., R. Co., 25 Wis. 46, 525
v. Milwaukee, &c., Co., 95 Wis. 29, 931, 1096n, 1096ac
v. Nagle, 101 U. S. 791, 32
v. New York, &c., R. Co., 28 Barb. (N. Y.) 80, 21
v. New York, &c., Co., 25 N. Y. 562, 213, 1284, 1286
v. Northampton, &c., R. Co., 122 N. Car. 85, 1332
v. Northern, &c., R. Co., 8 Phila. (Pa.) 19, 1440, 1526
v. Oroville, &c., Co., 40 Cal. 20, 250, 347
v. Pipe Line Co., 101 Pa. St. 204, 369
v. Rawson, 52 Iowa, 329, 215, 1248, 1303
v. Roseberry, 121 U. S. 488, 796
v. Sill, 2 Black (U. S.) 544, 746
v. Snell, 5 Barn. & Ald. 350, 1539
v. Southern R. Co., 123 N. Car. 280, 1337
v. Southern R. Co., 80 Fed. 260, 1332
v. Southern Pac. R. Co., 14 Utah, 383, 1282, 1795
v. Southwestern R. Co., 64 Ga. 783, 736
v. Third Ave. R. Co., 5 N. Y. S. 707, 1096cb
v. Tuckett, 1 Johns. & H. (Eng. Ch.) 266, 305
v. United States, 167 U. S. 512 1677, 1680
v. Vermont, &c., R. Corp. 12 Cush. 68, 86
v. Walden, &c., R. Co., 4 Allen. (Mass.), 283, 1096cf
v. Wilmington, &c., R. Co., 2 Marv. (Del.) 141, 1689e
v. Wilson, 95 Ind. 408, 1029
v. Wisconsin Central R. Co., 29 Wis. 341, 1033, 1053
v. Woods, 96 Ky. 56, 1368
Wright, &c., Co. v. Warren, 177 Mass. 283, 1523, 1524

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

W. R. Trigg Co. v. Lindsay, 101 Va. 193, 1779
Wuerfler v. Trustees, &c., 116 Wis. 19, 193
Wullenwaber v. Dunigan, 33 Neb. 477, 860
v. Dunigan, 30 Neb. 877, 117
Wulzen v. Board of Supervisors, 101 Cal. 15, 1019
Wunsch v. Northern Pac. R. Co., 62 Fed. R. 878, 1649
Wuotilla v. Duluth, &c., Co., 37 Minn. 153, 1288
W. W. Cragill Co. v. Minnesota, 180 U. S. 452, 658, 1662c
Wyandotte v. Corrigan, 35 Kan. 21, 282
Wyandotte, &c., Bridge Co. v. Wyandotte Co. 10 Kan. 326, 751a
Wyandotte, &c., R. Co. v. King Bridge Co., 100 Fed. 197, 1060
v. Waldo, 70 Mo. 629, 987, 988, 989, 992, 995
Wyatt v. Citizens' R. Co., 55 Mo. 485, 1261
v. Ohio, &c., R. Co., 10 Ill. App. 289, 563
v. St. Helen's & R. G. Ry. Co., 2 Q. B. 364, 488
Wyckoff v. Queens County Ferry Co., 52 N. Y. 32, 1654
Wycombe, &c., R. Co. v. Donnington Hospital, L. R. 1 Ch. 268, 422
Wyde v. Northern R. Co., 53 N. Y. 156, 1444
Wyeth v. Hardware, &c., Co., 127 Wis. 242, 624
Wyld v. Pickford, 8 M. & W. 443, 1446, 1472, 1691, 1693
Wylde v. Northern R. Co., 53 N. Y. 156, 1633, 1635
Wylie v. Elwood, 134 Ill. 281, 631
v. Missouri Pac. Ry. Co., 41 Fed. R. 623, 485
v. Palmer, 137 N. Y. 248, 215, 1320
Wyly v. Richmond, &c., R. Co., 63 Fed. R. 487, 653
Wyman v. Bowman, 127 Fed. 257, 604
v. Chicago, &c., R. Co., 4 Mo. App. 35, 1441, 1445
v. Leavitt, 71 Me. 227, 1817, 1821
v. Eaton, 107 Ia. 214, 570
v. Lancaster, 32 Fed. R. 720, 1570
v. Lexington, &c., R. Co., 13 Met. (Mass.) 316, 1036
v. Northern Pac. R. Co., 34 Minn. 210, 1595, 1602, 1637
v. Penobscott, &c., R. Co., 46 Me. 162, 1186, 1208
Wymore v. Hannibal, &c., R. Co., 79 Mo. 247, 1195
v. Mahaska County, 78 Iowa, 396, 1262
Wynee v. Conklin, 86 Ga. 40, 1283
Wynehamer v. People, 13 N. Y. 378, 666, 672, 976, 1337
Wynkoop v. Burger, 12 Johns. (N. Y.) 222, 934b
Wynn v. Central Park, &c., R. Co., 133 N. Y. 575, 1588
v. Central Park, &c., R. Co., 10 App. Div. (N. Y.) 13, 1830
v. Paducah R. 102 S. W. 824, 1831
Wyoming, &c., Co. v. Price, 81 Pa. St. 156, 972
Wyscaver v. Atkinson, 37 Ohio St. 80, 817

Y

Yahn v. City of Ottumwa, 60 Iowa, 429, 1178
Yale Gas Stove Co. v. Wilcox, 64 Conn. 101, 10, 11
Yancy v. Yancy, 5 Heisk. (Tenn.) 353, 951
Yankton Fire Ins. Co. v. Fremont, &c., R. Co. (S. Dak.) 64 N. W. 514, 1231
Yarde v. Baltimore, &c., R. Co., 57 Fed. R. 913, 1231
Yarish v. Cedar Rapids, I. F. & W. Ry. Co., 72 Iowa, 556, 859, 859a
Yarmouth v. France, L. R. 19 Q. B. 647, 1345
Yarnall v. St. Louis, &c., R. Co., 75 Mo. 575, 1172
v. Kansas City, &c., R. Co., 113 Mo. 570, 1297, 1628a, 1644
Yarrington v. Delaware, &c., R. Co., 143 Fed. 565, 1578a
Yates v. Illinois Cent. R. Co., 89 S. W. 161, 1257
v. New York Central, &c., R. Co., 67 N. Y. 100, 1789
v. McCullough, &c., R. Co., 69 Md. 370, 1376
v. Milwaukee, 10 Wall. 497, 665, 977
v. West Grafton, 34 W. Va. 783, 1076
v. Van DeBogert, 56 N. Y. 526, 423
Yazoo, &c., R. Co., v. Adams, 180 U. S. 1, 18, 335, 746
v. Anderson, 77 Miss. 28, 1631
v. Blackmar, 85 Miss. 7, 1646, 1647, 1648, 1649a
v. Blum Co., 40 So. 748, 1470, 1473
v. Brumfield, 64 Miss. 637, 1204
v. Byrd, 42 So. 286, 1630
v. Christmas, 42 So. 169, 1755
v. Davis, 73 Miss. 678, 1004, 1057f
v. Harrington, 85 Miss. 366, 1182, 1198
v. Keystone Lumber Co., 43 So. 605, 1662c
v. Metcalf, 64 Miss. 242, 1251
v. Millsaps, 76 Miss. 355, 1457a
v. Mitchell, 83 Miss. 179, 1801, 1834
v. Searles, 85 Miss. 520, 1566, 1567, 1568
v. Smith, 35 So. 168, 1841
v. Thomas, 133 U. S. 174, 746
v. Watson, 82 Miss. 89, 1154
v. White, 82 Miss. 120, 1848
Yeager v. Berry, 82 Mo. App. 534, 1799
v. Burlington, &c., R. Co., 93 Ia. 1, 1283, 1284
v. Chicago, &c., R. Co., 1 Mo. App. R. 434, 1201
v. Wallace, 44 Pa. St. 294, 565, 568
Yeamans v. County Comrs., 16 Gray (Mass.), 36, 1046
Yeates v. Groves, 1 Ves. Jr. 280, 502
v. Illinois Cent. R. Co., 137 Fed. 943, 468, 469, 650a, 1689a
Yeatman v. Day, 76 Ky. 186, 862
Yeaton v. Boston, &c., R. Co., 135 Mass. 418, 1269, 1290, 1296a, 1817
Yeats v. Ballentine, 56 Mo. 530, 1059

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Yellow Aster Min. &c., Co. v. Crane Co., 150 Fed. 580, 656a
Yellow Jacket Min. Co. v. Stevenson, 5 Nev. 224, 257, 260, 283
Yellow River Improvement Co. v. Wood County, 81 Wis. 564, 521
Yelton v. Addison, 101 Ind. 58, 1053
v. Evansville, &c., R. Co., 134 Ind. 414, 1376
Yeomans v. Contra Costa, &c., Co., 44 Cal. 71, 1578, 1578a, 1644
Yerkes v. Northern Pac. R. Co., 112 Wis. 184, 1815
Yetts v. Norfolk, &c., R. Co., 3 DeG. & Sm. 293, 137
Yick Wo v. Hopkins, 118 U. S. 356, 774, 1668
Yingst v. Lebanon, &c., St. R. Co., 167 Pa. St. 438, 1096cn, 1264
Yoakum v. Dryden (Tex. Civ. App.), 26 S. W. 312, 1411
v. Dunn, 1 Tex. Civ. App. 524, 1738
v. Kroeger, 27 S. W. 953, 1817
v. Selph, 83 Tex. 607, 577
Yocum v. First National Bank, 144 Ind. 272, 752
Yool v. Great Western R. Co., 20 L. T. R. (N. S.) 74, 317
York v. Canada, &c., R. Co., 22 Can. Sup. Ct. 167, 1578
v. Chicago, &c., R. Co., 98 Ia. 544, 1315a
v. Kansas City, &c., R. Co., 117 Mo. 405, 1268, 1314
York Co. v. Central R. Co., 3 Wall. (U. S.) 107, 1417, 1454, 1478, 1504
v. Fewell, 21 S. Car. 106, 1053
York Park, &c., Assn. v. Barnes, 39 Neb. 834, 126, 132
York, &c., R. Co. v. Crisp, 14 C. B. 527, 1627
v. Hudson, 16 Beav. 485, 274, 276
v. Hudson, 19 Eng. L. Eq. 365, 1058
v. Regina, 1 El. & B. 858, 662, 699, 1055, 1056c
v. Ritchie, 40 Me. 425, 152, 224, 225
v. Winians, 17 How. (U. S.) 30, 70, 440, 473
Yorkshire Ry. Wagon Co. v. Maclure, 21 Ch. Div. 309, 502
York Tramways Co. v. Willows, L. R. 8 Q. B. D. 685, 143
Yorton v. Milwaukee, &c., R. Co., 54 Wis. 234, 200, 202, 1594, 1595, 1602
v. Milwaukee, &c., R. Co., 62 Wis. 367, 1594
Yost's Report, 17 Pa. St. 524, 953
Yost v. Conroy, 92 Ind. 464, 1038
v. Lake Erie, &c., Transp. Co., 112 Fed. 746, 756
Youghiogheny Bridge Co. v. Pittsburgh, &c., R. Co., 201 Pa. 457, 969
Youmans v. Minnesota, &c., R. Co., 67 Fed. R. 282, 24
Young v. Atlantic Ave R. Co., 10 Misc. (N. Y.) 541, 1689h
v. Boston, &c., R. Co., 69 N. H. 356, 1278, 1303
v. Buckingham, 5 Ohio 85, 1404
v. Canadian Pac. R. Co., 1 Manitoba, 205, 1406, 1407
v. Central R. Co., 120 Ga. 25, 1601a
v. Citizens St. R. Co., 148 Ind. 54, 1096bq, 1096ci, 1096cj
v. Clarendon Township, 132 U. S. 340, 823, 827, 839, 844, 876, 881a, 891
v. Clark, 16 Utah, 42, 1700
Young v. Detroit, &c., R. Co., 56 Mich. 430, 1163
v. Drake, 8 Hun (N. Y.) 61, 167
v. East Alabama R. Co., 80 Ala. 100, 1523, 1705
v. Erie Iron Co., 65 Mich. 111, 79, 91, 110, 175
v. Gormley, 120 Ia. 372, 1816
v. Goss, 42 Kan. 502, 803
v. Hannibal, &c., R. Co., 79 Mo. 336, 1160, 1195
v. Hannibal, &c., R. Co., 82 Mo. 428, 1185
v. Harrison, 17 Ga. 30, 966
v. Harrison, 6 Ga. 130, 1048, 1049
v. Illinois Cent. R. Co., 40 So. 870, 1206
v. Kansas City, &c., Railroad Co., 33 Mo. App. 509, 701, 1564
v. Kansas City, &c., R. Co., 52 Mo. App. 530, 1219
v. Laconia, 59 N. H. 534, 1026
v. McKenzie, 3 Ga. 31, 963
v. McLean, 63 N. Car. 576, 506
v. Miller, 145 Ind. 65, 1689g
v. Missouri Pac. R. Co., 93 Mo. App. 267, 1096cu
v. Missouri, &c., R. Co., 113 Mo. App. 636, 1633
v. Montgomery, &c., R. Co., 2 Woods (U. S.) 606, 511, 533, 586
v. Naval, &c., Society, 74 L. J. & K. B. 302, 274
v. New York Cent. R. Co., 13 Daly (N. Y.), 294, 1249
v. New York, &c., R. Co., 171 Mass. 33, 1641
v. Old Colony R. Co., 156 Mass. 178, 1168
v. Parker, 132 U. S. 267, 650, 651, 654
v. Pennsylvania R. Co., 115 Pa. St. 112, 1596
v. Railway Co., 93 Mo. App. 267, 1628b
v. Rollins, 85 N. Car. 485, 556, 558, 561
v. Rollins, 90 N. C. 125, 586
v. Rondout, &c., Co., 15 N. Y. Supp. 443, 634
v. Ross, 31 N. H. 201, 624
v. Small, 188 Mass. 473, 1261
v. South Tredegar, &c., Co., 4 Am. St. R. 752, 22
v. South Tredegar, &c., Co., 85 Tenn. 189, 26, 98, 756
v. St. Louis, &c., R. Co., 44 Iowa, 172, 1207
v. Toledo & S. H. R. Co., 76 Mich. 485, 95, 519
v. Vough, 23 N. J. Eq. 325, 99, 100, 101
v. Webster City, &c., R. Co., 75 Iowa, 140, 51, 68, 117, 823a, 836, 846, 850
v. Young, 21 Ind. App. 509, 1060a
Youngblood v. Conner, 97 Ga. 152, 1341
v. Improvement Co., 83 Ga. 797, 46
v. Sexton, 32 Mich. 406, 752
v. South Carolina, &c., R. Co., 60 S. Car. 9, 1296a, 1807
Younglove v. Kelly, &c., Co., 49 Ohio St. 663, 179

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Youngman v. Elmira, &c., R. Co., 65 Pa. St. 278, 31, 67, 72, 495, 512
Youngstown Bridge Co. v. Barnes, 98 Tenn. 401, 1814
Younkin v. Collier, 47 Fed. R. 571, 626
v. Milwaukee Light, &c., Co. 112 Wis. 15, 1049c
v. Milwaukee Trac. Co., 120 Wis. 477, 1096c, 1096be
Ysleta v. Canada, 67 Fed. R. 6, 649

Z

Zabriskie v. Cleveland, &c., R. Co., 23 How. U. S. 381, 95, 107, 259, 340, 373, 376, 481, 484, 485
v. Hackensack, &c., R. R. Co., 18 N. J. Eq. 178, 43, 45, 56, 328, 441, 634
Zack v. Pennsylvania R. Co., 25 Pa. St. 394, 1019
Zackery v. Mobile, &c., R. Co., 75 Miss. 746, 1577
Zagelmeyer v. Cincinnati, &c., R. Co., 102 Mich. 214, 1603
Zahn v. Pittsburgh, &c., R. Co., 184 Pa. St. 66, 948
Zaleski v. Clark, 44 Conn. 218, 1059
Zanesville v. Farman (Ohio), 42 N. E. 703, 1092
v. Richards, 5 Ohio St. 589, 781
v. Zanesville, &c., Co., 47 Ohio St. 1, 2, 662
Zealy v. Birmingham R. Co., 99 Ala. 579, 334
Zebeley v. Farmers,' &c., Co., 63 Hun (N. Y.) 541, 534
Zehren v. Milwaukee, &c., R. Co., 99 Wis. 83, 1096d, 1096be
Zeiger v. Pennsylvania R. Co., 151 Fed. 348, 1336a
Zeigler v. Gaddis, 41 N. J. L. 363, 845
v. Lake, &c., R. Co., 69 Fed. 176, 159
v. Northeastern R. Co., 5 S. Car. 221, 1162
v. Pennsylvania R. Co., 151 Fed. 348, 1366a
v. South & North R. Co., 58 Ala. 594, 660, 665, 669, 1183, 1223
v. Wells-Fargo & Co., 22 Cal. 667, 1713, 1739
Zeigler Bros. v. Mobile, &c., R. Co., 87 Miss. 367, 1652
Zellerbach v. Allenberg, 99 Cal. 57, 312
Zemp v. Wilmington, &c., R. Co., 9 Rich. L. 84, 1644
Zibbell v. Grand Rapids, 129 Mich. 659, 1804, 1806
Zihlman v. Cumberland, &c., Co., 74 Md. 303, 267
Zimmer v. Brooklyn, &c., R. Co., 53 Hun, 637, 1062
v. Grand Trunk, &c., R. Co., 19 Ont. App. 693, 1373
v. New York, &c., R. Co., 42 N. Y. S. 63, 1499
v. New York Central, &c., R. Co., 137 N. Y. 460, 1481, 1498, 1502, 1507, 1510
v. Schleehauf, 115 Mass. 52, 185
v. State, 30 Ark. 677, 205, 329, 330
v. Third Ave. R. Co., 55 N. Y. S. 308, 1096ck
Zimmerman v. Canfield, 42 Ohio St. 463, 1019, 1020, 1021, 1040
v. Denver, &c., Co., 18 Colo. App. 480, 1096cg
v. Franke, 34 Kan. 650, 627
v. Hannibal, &c., R. Co., 71 Mo. 476, 1094, 1158, 1172
v. Kansas City, &c., R. Co., 144 Fed. 622, 1048, 1049
v. Railroad, 71 Mo. 476, 1166
Zinn v. Mendel, 9 W. Va. 580, 165
v. New Jersey Steamboat Co., 49 N. Y. 442, 1527
Zintek v. Stimson, &c., Co., 6 Wash. 178, 1318
Zion v. Southern Pac. R. Co., 67 Fed. R. 500, 1594
Zircle v. Southern R. Co., 102 Va. 17, 954, 960, 961, 973
Zirkel v. Joliet, &c., Co., 79 Ill. 334, 176
Zoeblsch v. Tarbell, 10 Allen (Mass.), 368, 1249
Zook v. Pennsylvania R. Co., 206 Pa. 603, 1049a
Zottman v. San Francisco, 20 Cal. 96, 783
Zouch v. Chesapeake, &c., R. Co., 36 W. Va. 524, 1491, 1497, 1498, 1500, 1504, 1505
Zuccani v. Nacupia, &c., Co., 61 L. T. R. 176, 534
Zulueta's Claim, L. R. 5 Ch. 444, 95
Zunz v. Southeastern R. Co., L. R. 4 Q. B. 539, 1661
Zurfluth v. Peoples R. Co., 46 Mo. App. 636, 1096cq

Digitized by Google

Digitized by Google

GENERAL INDEX.

Digitized by Google

Digitized by Google

GENERAL INDEX.

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

A.

ABANDONMENT,
of shares by stockholder, effect, 151, n.
of corporate subscription, 177.
to lessee is ground for quo warranto, when, 448.
mandamus to compel restoration of abandoned station, 641.
of existing line to construct new line, 990a.
of condemnation proceedings, 1033.
of condemnation proceedings, evidence of, 1033.
effect on duty to fence, 1193.
of animals by their owner, 1210.
whether sale of right of way works abandonment, 938b, n.

ABANDONMENT OF LOCATION,
evidence of, 122.
effect of, 931.
what amounts to, 931.
by failure to construct, 931.
sale to another company is not, 931.
determined by circumstances of case, 931.
for non-user of franchises, 931.
non-user as evidence of, 931.
estoppel of company to deny, 931.
when question for a jury, 931, n.
how failure to run passenger trains affects question of, 931, n.
title to right of way on abandonment, 946c.
damages where land taken for railroad purposes is abandoned, 996f.
location of new line on abandoned right of way, 922a.
reversion of condemned lands, 972a.
costs on abandonment of condemnation proceedings, 1033.

ABANDONMENT OF ROAD,
cause for forfeiture, 49.
effect on subscriptions, 123.
mandamus to prevent, 638.
effect on right to public aid, 851.
mandamus to compel restoration of abandoned roads, 1056c.
levy of execution on abandoned road, 520, n.

ABATEMENT,
of suits on dissolution of corporation, 612.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ABSOLUTE LIABILITY,
for animals killed, 724.
where animals are injured, statute unconstitutional, 1183.
can not be imposed for injuries to stock, 1213.
for damages caused by fire, 1222.
constitutionality of statutes imposing for fires, 1223.
insurable interest where it is imposed, 1223.
none where fires set to burn off right of way, 1227.
for fires, contributory negligence immaterial, 1238.
sufficiency of complaint to enforce, 1241.

ABUSE OF DISCRETION,
See DISCRETION.
in matter of declaring dividends, 314.
by directors, when courts will correct, 343.

ABUSE OF FRANCHISE,
effect of, 48.

ABUSE OF POWERS,
stopping trains for five days, 51.
as ground for appointment of a receiver, 538, n.

ABUTMENTS,
See BRIDGES.
implied power to condemn land for, 42.
at highway crossings, 1105.
must not obstruct highway, 1109.
mandamus to compel construction of, 1111.
compensation for erecting at railway crossings, 1127.
negligence in constructing those to bridges, 1263.

ABUTTING OWNERS,
See EMINENT DOMAIN.
not entitled to compensation for electric railways, 8, 1088.
when may enjoin company from occupying street or highway, 630.
when may be restrained from interfering with road, 632.
when entitled to remedy by injunction, 1049, n.
consenting to use of streets, 1078.
rights in streets, 1085.
have easement of access, 1085.
rights as freeholders, 1085.
right to easement of light and air, 1085.
recovering damages for negligence in operating road, 1085.
compensation for interference with easement of access, 1087.
no damages recoverable for construction of street railway, 1088, 1135.
rights where railroad is constructed in narrow street, 1089.
when may maintain action of ejectment, 1096.
rights at highway crossings, 1113.
embankments and viaducts injuring, 1113.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ABUTTING OWNERS—Continued.
may recover for additional burden, 1113.
damages where company fails to fence, 1181.

ABUTTING PROPERTY,
where right of way is not, 787.
assessing right of way as, 788.

ACCEPTANCE,
See DELIVERY AND ACCEPTANCE.
of conditional subscriptions, 113.
of deed to corporation, 409, n.
of deed may be by parol, 412.
of grants to railways, presumption of, 417.
of surrender of corporate charter, 608.
of public aid, contract created, 832.
of goods, 1404.
of goods, when creates extra-terminal liability, 1435.
of goods where transportation would violate law, 1414a.
of bills of lading, effect, 1502.
necessary to constitute a person a passenger, 1578.
of baggage by carrier, 1649, 1653.
as estoppel to raise question of ownership, 1413a.

ACCEPTANCE OF AID,
when presumed, 866.

ACCEPTANCE OF CHARTER,
must be unconditional, 17.
question of fact, 17.
in jurisdiction granting, 17.
evidence of, 35.
construction and operation of road amounts to, 35.

ACCESS,
effect of depriving abutter of, 1085, 1089.

ACCESSORIES,
right to consider matter of destruction of, in condemnation proceedings, 996.

ACCIDENT,
See ACT OF GOD.
preventing feeding live stock, 726, 1554.
at highway crossings, 1115.
at private crossings, 1151.
when proof of other accidents admissible, 1177, 1697, n.
proof that fences were repaired after, 1200, n.
liability where fences destroyed by, 1209.
liability where fire escapes, 1224, 1227.
mere proof of does not show negligence, 1297, 1697.
collision the result of, liability, 1300.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ACCIDENT—Continued.
effect of discovery of defects after, 1308.
when raises presumption of negligence, 1350.
when carriers liable for loss caused by, 1455.
when carrier assumes risks from, 1473.
preventing company from furnishing cars, 1473.
when carrier not excused by unavoidable, 1481.
effect of delay caused by, 1484.
does not terminate the duty of the carrier, 1485.
effect on freight charges, 1562.
when proof of makes prima facie case, 1583.
definition of, 1584.
interrupting passenger's journey, 1595.
effect where ticket coupons detached by, 1597.
causing derailment, 1634.
employe injuring passenger by, 1638.
company not liable for a pure accident, 1696.
proof of repairs after, 1697.

ACCIDENTAL FIRE,
liability for loss by while company is in possession as warehouseman, 1463.

ACCIDENTS AT CROSSINGS,
See INJURIES AT CROSSINGS; RAILROAD CROSSINGS.

ACCOMMODATION INDORSER,
when corporation may become, 351.

ACCOMMODATION PAPER,
when directors may execute, 275.
authority of treasurer to execute, 292.
rights of innocent holder, 351.

ACCOMMODATIONS,
See CARS; DEPOTS.
effect of failure to maintain at stations, 720.
duty of sleeping car companies to furnish, 1617.

ACCORD AND SATISFACTION,
See RELEASE OF DAMAGES.
as bar to action for injuries causing death, 1376

ACCOUNTING,
party to reorganization agreement may compel, 534, n.

ACCOUNTS,
of receivers, 583.

ACCRETION,
right to, 948, n.

ACCRUED CHARGES,
duty of connecting carrier as to payment of, 1452.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ACKNOWLEDGMENT,
of articles of incorporation, 18.
of railroad mortgages, 494.

ACQUIESCENCE,
See LACHES; ESTOPPEL.
in issue of preferred stock, 82.
in forfeiture of stock, effect, 154.
when stockholder estopped by, 167.
estoppel arising from, 871, 903, 1049.
right to cross railway acquired by, 1135.
does not amount to invitation, 1154.
does not amount to license, 1252.

ACQUISITION OF RIGHT OF WAY,
See EMINENT DOMAIN; RIGHT OF WAY; REAL ESTATE; CONDEMNATION PROCEEDINGS.
how right of way may be acquired, 932
authority to purchase, 933.
who may convey, 934.
specific performance of agreement to sell, 935.
when specific performance of agreement to convey will not be enforced, 936.
effect of conveyance or release of damages, 937.
presumption as to width of right of way, 938.
what estate is taken, 938.
by conditional conveyances, 939.
effect of failure to perform conditions precedent, 940.
difference between conditions precedent and conditions subsequent, 940.
what is sufficient performance of conditions subsequent, 941.
effect of failure to perform conditions subsequent, 941.
remedies of grantor for failure to perform conditions subsequent, 942.
construction of conditions subsequent, 943.
compliance with conditions subsequent, 943.
when equity will interfere in case of a breach of conditions subsequent, 944.
covenants running with the land, 945.
illustrative cases of covenants, 946.
dedication of land to use of railroad, 947.
title by adverse possession, 948.
by prescription, 948.
rights of railroad by entry under license, 949.

ACTIONABLE NEGLIGENCE,
See NEGLIGENCE.
none where there is no duty, 1267.
what constitutes on part of carrier of passengers, 1585.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ACTIONS,
See EVIDENCE; INJUNCTION; INSTRUCTIONS TO JURIES; JURISDICTION; MANDAMUS; PARTIES; PLEADING; REMOVAL OF CAUSES; SUITS; PROCEDURE; REMEDIES AND LIKE TITLES.
bringing in federal court is not "doing business," 30.
to enforce payment of subscription, 109.
who may bring to enforce statutory liability against stockholders, 187.
power of president to commence, 285.
who may maintain to enforce payment of dividends, 310.
concerning revocation of dividends, 310.
commenced when process has been issued, 560.
authority of receivers to maintain, 568.
receivers maintaining in foreign jurisdictions, 570.
right of director to intervene as defendant, 617, n.
for enforcement of statutory penalties, 712.
when informer may maintain, 713.
to enforce award in appropriation cases, 1048.
on account of extra-terminal defaults, 1441.
specifying time in which they shall be brought, 1512.

ACTIONS AGAINST RAILROAD CARRIERS,
generally, 1698.
service of process upon passenger or freight agent, 621.
remedy for breach of duty as public or common carrier, 1690.
mandamus, 1690.
remedy for refusal to carry, 1691, 1707.
parties, 1692.
form of action, 1693.
pleading, 1694.
pleading loss or injury of goods in, 1713.
pleading delay in transportation, 1712.
pleading limitation of liability, 1716.
evidence, 1695.
actions for injuries to passengers, 1696.
actions for injuries to employes, 1697.
pleading ordinances, 1698.
inspection and physical examination of party, 1699.
experiments and practical tests, 1700.
real evidence, 1700.
breach of contract of transportation, 1706.
presumptions, 1701.
withdrawing the case from the jury, 1702.
physical facts, 1703.
suits against third persons for injuries to goods, 1705.
replevin of goods by consignee, 1708.
pleading loss or injury of goods in transit, 1713.
for loss or injury of goods where carrier is a warehouseman, 1711.
pleading failure of delivery of goods, 1715.
pleading failure to give notice of claim of damages, 1717.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

ACTIONS AT LAW,
may be enjoined, when, 628, n.

ACTIONS BY AND AGAINST CORPORATIONS,
suits by corporations, 615.
for transportation charges, 1709.
when incorporation must be alleged, 616.
actions and suits against corporations, 617.
power of corporation over litigation, 618.
power to compromise and arbitrate, 618.
estoppel to deny corporate existence, 619.
when stockholders may sue, 620.
service of process, 621.
return of service of process, 622.
venue of actions against corporations, 623.
attachment and garnishment, 624.
duty and liability of garnishee, 625.
what may be reached in garnishment, 626.
garnishment of employe's wages, 627.
injunction, generally, 628.
injunction where the company seeks to take or condemn lands, 629.
injunction where railroad is laid in a street, 630.
enjoining a nuisance, 631.
injunction at suit of the company, 632.
enjoining strikers, 633.
injunction at suit of stockholders, 634.
English rule as to mandatory injunctions, 635.
rule in the United States as to mandatory injunctions, 636.
illustrative cases of mandatory injunctions, 636.
mandamus, generally, 637.
mandamus to compel completion and operation of road, 638.
mandamus to compel restoration of highway and construction of crossings and viaducts, 639.
mandamus to compel carriage of freight, 640.
mandamus to compel company to maintain stations and furnish increased facilities, 641.
when mandamus will not lie, 642.
who may be relator, 643.
quo warranto, 644.
conflict between state and federal jurisdiction, 650a.
suits by taxpayers, 751a.
for wrongful death caused by interurban railway, 1096bv.

ACTIONS EX CONTRACTU,
only compensatory damages in, 1693.
can not be joined with actions ex delicto, 1694.

ACTIONS EX DELICTO,
substituting receivers as parties in, 574, n.
punitive or exemplary damages, 1693.
can not be joined with actions ex contractu, 1694.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ACTIONS OVER,
by connecting carrier against others, 1452.

ACTS,
waiver of conditions to subscriptions by, 115.
estoppel created by, 894, 903.

ACTS OF CONGRESS,
See CONGRESS; REMOVAL OF CAUSES.
giving right to sue receivers without leave of court, 573.
authorizing removal of causes, 645.

ACTS OF GOD,
preventing performance of conditions subsequent, 941.
what constitute, 1455.
floods or freshets as, 1455.
earthquakes as, 1455, n.
express contract against, 1456.
where carrier's negligence precedes, 1457a.
concurring negligence of carrier, 1457.
burden of proof to show that they caused loss, 1457.
when inevitable accidents regarded as, 1481.
as excuse for failure to deliver, 1534, 1695.
effect where negligence of carrier contributes, 1534.
causing loss of baggage, 1651.
burden of proof that injury could have been avoided notwithstanding, 1721.
as excusing refusal of connecting, to accept from initial carrier, 1443n.

ADDITIONAL BURDEN,
See EMINENT DOMAIN.
street railway crossing steam railway is not, 975.
compensation for, 977.
commercial railroad in street as, 1087.
when street railways are, 1088.
cable road or electric road is not, 1088.
use of T-rail in street does not constitute, 1088, n.
abutting owner may recover for, 1113.
when street railway is not, 1135.

ADDITIONAL PROPERTY,
right of railway company to condemn, 971.

ADDITIONAL SERVITUDE,
See ADDITIONAL BURDEN.

ADDITIONAL TRACKS,
land may be condemned for, 930.

ADJACENT HIGHWAYS,
causing injury to travelers on, 1263.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ADJOINING LAND,
See ABUTTING OWNERS.
injunction to prevent encroachment on, 1049.
damages by throwing debris, dirt and rocks upon, 1057.
liability for trespass upon by contractor, 1063.

ADJOURNMENTS,
of sale under decree of foreclosure, discretion of officer, 524.
in appropriation cases, 1034.
excavation for right of way injuring lateral support, 1057b.

ADMINISTRATIVE OFFICERS,
See OFFICERS.
strictly judicial powers can not be conferred on, 677.
railroad commissioners are, 677.
power of to fix tariff of rates, 691.
mandamus as remedy against, 1016

ADMINISTRATOR,
right to vote stock, 156.
right of to dividends, 305, n.
right to receive intestate's dividends, 306.
when can convey land for right of way, 934.
suing for injuries causing death, 1372.
executing release in death cases, 1376.
compromising under order of court, 1376.

ADMISSION,
stockholder's does not bind the corporation, 170.
of agents, 217.
by directors, 269.
when station agent's binds company, 303.
by dismissal of condemnation proceedings, 1032.
when sale in condemnation proceedings amounts to, 1036.
when admissible against personal representatives, 1036.
when that of agent or employe admissible, 1695, n.

ADMISSION OF FOREIGN CORPORATIONS,
conditions to, 30.

ADULT PERSON,
presumption that he will leave the tracks, 1172, n, 1257.
presumption that he will care for himself, 1175.

ADVANCE SUBSCRIPTIONS,
when void, 111.

ADVERSE CLAIMANTS,
procedure of carrier where there are, 1544.
railway carrier interpleading between, 1544.

ADVERSE POSSESSION,
acquisition of real estate by, 401.
what is sufficient to constitute, 401, n, 948.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ADVERSE POSSESSION—Continued.
title to land bought from one holding by, 948.
title to right of way by, 931, n, 932, 948.
must be under claim of ownership, 948.
giving title to right of way, 1007, n.
of right of way as against municipality, 948a.
acquisition of easement in right of way by, 951.
as means of clearing title to right of way, 809.

ADVERSE USER,
private crossing secured by, 1140.

ADVERTISEMENT,
duty of railroad company to advertise fact of killing stock, 1220b.

ADVICE,
receiver seeking court's as to matter of expenses, 566.

AFFIDAVIT,
for removal to federal court, 23.
for appointment of receiver without notice, 556.
in support of motion or petition for receiver, 558.
who can make to answer in garnishment, 625, n.
to show prejudice as ground for removal of causes, 651.
in proof of notice by publication, 1023.
showing inability to agree in condemnation cases, 1027.
in support of objections to report of commissioners, 1044.
in support of petition for writ of certiorari, 1054.
to claim for injuries to animals, 1216.
who may make in claims for injuries to animals, 1216.

AFFIRMATIVE ACTS,
creating an estoppel, 1008, n.

AFTER-ACQUIRED PROPERTY,
when covered by mortgage, 495.
mortgage of, 497.
what mortgage of includes, 497.

AGE,
as affecting question of contributory negligence, 1172.
as affecting negligence of children, 1261.
at which child becomes sui juris, 1261.
as affecting competency of employe, 1285.

AGED PERSONS,
care of street railway company as to aged persons on the track, 1096de.

AGENCY,
agent's oral declarations not proof of, 220, n.
subscription to stock by trustee of undisclosed principal, 107, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

AGENTS,
See EMPLOYES; MASTER AND SERVANT; PRINCIPAL AND AGENT; SUPERIOR AGENTS. PROMOTERS.
appointing in foreign state, 24.
corporations acting by, 24.
result of failure to name in foreign state, 30.
buying and selling stock, 93.
liable for money paid for stock, 95, n.
subscribing for stock by, 107.
placing conditional subscriptions in hands of, 114, n.
effect of misrepresentations by on subscriptions, 128.
corporations voting stock by, 159.
stockholders as for the corporation, 170.
right to inspect corporate books by, 172.
bound by corporate by-laws, when, 192.
effect of disobeying rules and regulations, 198.
corporations act through, 203.
how appointed by railroad companies, 204.
statutory privileges bestowed on, 205.
directors providing compensation for, 208, n.
appointment and removal of, 209.
when declarations of admissible, 210, 217.
proving authority of, 211.
when agency will be inferred, 212.
person dealing with, knowledge of authority, 213.
care in selecting, 213.
liability for frauds, misrepresentations and torts of, 213.
liability for acts within scope of authority, 213, n, 214.
exceeding scope of their authority, effect, 216.
contracts by, 216.
authority of conductors and engineers to represent company, 221a.
declarations and admissions of, 217, 1695, n.
exercise of authority by, 220.
authority to employ surgeons, 222.
notice to, 226.
authority in case of emergencies, 221a.
notice to where acting adversely to corporation, 226.
disavowing acts of, 227.
what acts of may be ratified, 228.
individual liability of for their torts, 231.
bonds of, 232.
sureties on bonds of, 233.
majority of board of directors employing, 257.
bound by contracts executed in own name, 279.
president's power to employ and discharge, 285.
for one purpose not for another, 300.
effect of personal interest in contract, 348.
exceeding authority, effect of acts, 373.
when lessee is agent of lessor, 473.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

AGENTS—Continued.
power to execute mortgage, 491.
authority of receiver to hire and pay, 566.
foreign corporations required to keep, 621.
upon whom process may be served, 621.
service of process on, 621, 621a.
when casually in state, 621b.
possessing money of company can not be garnished in action against the company, 626.
when mandatory injunction binding on, 636.
signing petition for public aid, 858.
appointing to execute railway aid bonds, 898.
how acts of affect question of location of road, 920.
incompetent to act as appraisers, 1017.
service of notice on, 1023.
can not prosecute condemnation proceedings, 1025.
negligence of attributable to principals, 1174.
distinguished from corporate representatives or officers, 1266.
when scope of authority a question of law, 1266.
power to waive performance of rules, 1282.
transfer company as agent of the initial carrier, 1399.
carriers as, 1401b.
delivery to authorized, 1406.
of shipper making delivery of freight, 1408.
power to issue bills of lading, 1416.
transferring company, whether agent of initial carrier, 1442
accepting bills of lading, 1417.
authority as to extra-terminal liability, 1437.
liability of connecting carriers for default of, 1447.
of union depot company, authority of, 1453.
power to agree to limitation of liability, 1507.
delivery to consignee's, 1523.
delivery by the carrier to, 1524.
notice to consignee's of arrival of goods, 1527.
carrier as agent of consignor, 1530.
liability of carrier for fraud of, 1535, n.
vendor's exercising right of stoppage in transitu, 1540.
effect of mistake of in naming rate, 1565.
giving passenger stop-over privileges, 1595.
when passenger may rely on representations of, 1598.
liability of sleeping car companies for representations of agents, 1617a.
liability for willful acts of, 1622.
doctrine of respondeat superior, 1625.
delivery of baggage to, 1653.
when admissions of admissible against carrier, 1695, n.
presumption as to authority of, 1701.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

AGGRAVATION OF DAMAGES,
right to prove where not pleaded, 1804.
right to recover where negligent act aggravated an existing injury, 1806.

AGREEMENT,
See CONTRACTS.
preliminary to subscription for stock, 102.
effect of one for reorganization, 533.
for reorganization, right to modify, 534.
private crossings secured by, 1141.

AGREEMENT TO DESTROY COMPETITION,
cause for forfeiture, 49.

AGRICULTURAL PURPOSES,
private crossings not confined to, 1142.

AID,
See PUBLIC AID.
railway company can not give to other companies, 374.

AID BONDS,
See MUNICIPAL AID BONDS; PUBLIC AID.
effect of consolidation on right to, 126.

AIR BRAKES,
requiring company to provide, 724.
no duty to equip freight cars with, 1629.

ALIEN,
See FOREIGN CORPORATIONS.
right to removal of causes, 651, n.
as beneficiary under wrongful death statutes, 1366a.

ALIEN LABORER,
validity of statute prohibiting employment of, 1336.

ALIGHTING FROM TRAINS,
when passenger guilty of negligence in, 1628.
evidence in actions for injuries, 1787.
instructions as to duty of carrier towards passenger, 1841.

ALLOWANCE,
to receivers for attorney's fees, 585.

ALTERATION OF CHARTER,
See AMENDMENTS.
where power is reserved, 770.

AMBIGUITY,
in corporate charter, 38.
parol evidence to explain in bill of lading, 1423.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ALTERATIONS,
in contracts of shipment, 1505a.

AMENDED COMPLAINT,
how filing affects right to remove cause, 653.

AMENDMENTS,
in pleadings as to use of words "railway" and "railroad," 3.
to void articles of incorporation, 20, n.
to special charter by special act, 34, n.
reserving right to make to charter, 43.
consent of stockholders to material, 45.
statutory provisions for, 46.
amounting to exclusive franchise, 46.
distinguished from new charter, 46, n.
power of stockholders to make to charter, 163.
material must be accepted by unanimous vote of stockholders, 163, n.
to by-laws, 196.
when directors may accept to charter, 252.
in condemnation cases as to parties, 1026.
to petition for removal to Federal Court, 655a.
defective descriptions in condemnation notice cured by, 1022.
to petition in appropriation cases, 1026, n., 1028.
to report of commissioners, 1045.
to city ordinance granting use of streets, 1079.

AMOUNT IN CONTROVERSY, REMOVAL OF CAUSES,
may be made up of separate claims, 648.
how to be determined, 648.
as affecting right of removal, 648.
interest and costs as affecting, 651

AMOUNT OF STOCK,
to be subscribed before organization, 102, n.

ANCILLARY RECEIVER,
See RECEIVERS.
when and how appointed, 555.
judgment against him after his discharge not binding, 587.

ANIMALS,
See LIVE STOCK; CARRIERS OF GOODS AND ANIMALS; DUTY TO FENCE.
liability of trust company operating road for killing, 1, n.
liability of consolidated company for injuries to, 334, n.
liability of receiver for injuries to, 577.
statutes making company absolutely liable unconstitutional, 665, 1183.
legislature can not fix value of, 666.
imposing absolute liability for those killed, 724.
injury at defective crossing, 1176.
duty at common law to keep them confined, 1180.
owner liable for trespass by, 1180.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ANIMALS—Continued.
when may rightfully run at large, 1180.
contributory negligence in allowing them to run at large, 1180, 1209.
indictment and prosecution for killing, 1183.
statutes of limitations governing action for injury to, 1183.
company not required to fence against breachy, 1184.
injury by running into barb-wire fences, 1184, 1207.
what company must fence against, 1184, 1190.
when landowner liable for those killed, 1188.
measure of damages for those killed or injured, 1188.
injured at public crossings, liability, 1193.
injured at depot or station grounds, 1194.
willfulness or negligence in killing, 1194.
place of entry on railway track, 1201.
injury to on highway, 1203.
rate of speed where they are on track, 1204.
stopping train where they are on track, 1204.
duty where they are discovered on track, 1204.
jumping suddenly in front of train, 1204.
duty to lookout for, 1205.
signals to frighten, 1206.
actual collision with, 1207.
injuries caused by fright, 1207.
liability of lessees, mortgagees and receivers for, 1208.
injured by construction trains, 1208.
injuries where owner guilty of contributory negligence, 1209.
abandoned by their owner, 1210.
ownership of, 1212.
mere killing as evidence of negligence, 1213.
proving collision with by circumstantial evidence, 1214.
value before and after injury, 1218.
posting list of killed or injured, 1219.
escaping where fence destroyed by fire, 1247.
duty to avoid collisions with, 1589.
causing derailment of train, liability of owner, 1634, n.
stock killed by interurban railways, 1096bn.
pleading injuries to live stock during transportation, 1714.
presumptions in case of injury to, 1719.
miscellaneous questions of evidence in actions for injuries, 1727.
instructions in actions for delay in transporting, 1746.
hire of other animals as element of damages, 1735.
instructions in actions for delay in transportation, 1745.
instructions in actions for loss or injury to, during transportation, 1747.
instructions in actions for injury from failure to feed and water stock, 1748.
instructions in actions for injury and loss because of defective pens, 1749.
bad condition of stock when received as affecting liability, 1750.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ANNUAL ELECTION,
enjoining directors from postponing, 174.

ANNUAL PASS,
See PASSES.
receiver can not bind company by oral contract for, 590, n.

ANSWER,
See PLEADING.
appointing receiver before filing of, 558.
considering in determining necessity for a receiver, 558.
in garnishment to be verified, 625.
separable controversy can not be raised by, 650.

ANTECEDENT NEGLIGENCE,
when proof of former accidents admissible to show, 1177.
evidence of subsequent repairs not admissible to show, 1697.

ANXIETY,
as an element of damages, 1818

APPARENT AUTHORITY,
See RESPONDEAT SUPERIOR.
agent or employe's, 212, 214.
president's, 288.

APPEAL,
stockholder can not take on behalf of the corporation, 167.
when may be taken from decree, 518.
reviewing action of trial court in appointing receiver on, 540, n.
right to appointment of receiver on, 552.
from judgment punishing contempt, 575.
when receiver has right to, 583.
from order authorizing receiver's certificates, 591, n.
power of corporation to prosecute, 618.
from condemnation proceedings, injunction will not lie pending, 629, n.
in condemnation proceedings, 1004, 1010, 1053.
from appointment of commissioners, 1015.
as remedy in appropriation cases, 1016, 1053a.
as remedy for landowner in appropriation cases, 1049.
when injunction does not lie where there is right of, 1049.
possession of real estate pending, 1050.
entering and constructing road pending, 1050.
when a statutory right, 1053.
legislative regulation of mode of taking, 1053.
when lies from interlocutory orders, 1053.
practice on, 1053.
following provisions of statute, 1053.
notice of in appropriation cases, 1053.
when parties must take notice of, 1053.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

APPEAL—Continued.
when vacates proceedings appealed from, 1053.
affirming part of case on, 1053.
questions not raised below will not be considered, 1053.
how objections to jurisdiction raised on, 1053, n.
right to writ of certiorari where there can be none, 1054.
from street opening proceedings, 1100.
injunction denied where there is remedy by, 1125.

APPEALABLE DECREES,
on foreclosure of mortgages, 518.

APPEARANCE,
of stockholder at meeting, effect, 164.
appointing receiver before, 558.
as affecting commencement of action, 560.
filing application for removal constitutes, 654.

APPELLATE COURT,
when may appoint receivers, 552.

APPLIANCES,
See INVENTIONS; MACHINERY.
train must be equipped with proper, 1156.
master's duty respecting, 1273.
care required of street railway company as to, 1096cu.
duty to keep in reasonably safe condition, 1274.
those generally used are sufficient, 1274.
liability for latent defects in, 1275.
employer not bound to abandon because newer ones are in use, 1277.
duty to exercise reasonable care in regard to inspection, 1278.
duty of railroad company to keep abreast of times in manner of, 1277.
effect of change in, 1283.
duty of employe to remedy defects in, 1293.
effect of promise to repair, 1295.
duty of employes to complain of defective, 1296.
federal act governing safety of, 1296b, 1315l.
engineers assuming risks of defects in, 1297.
loaded cars regarded as a part of, 1301.
careless use distinguished from defects in, 1301.
effect of discovery of defects in after an accident, 1308.
person charged with care of is not a fellow servant, 1318.
care required under employers' liability acts, 1343.
what are defects in within employers' liability acts, 1347.
carrier not obliged to adopt most approved, 1472.
duty of carrier to use proper ones, 1478.
duty owing to passengers in respect to, 1585, 1587.

APPORTIONMENT,
of proceeds of foreclosure sale, 527.
of compensation in condemnation proceedings, 1003b.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

APPORTIONMENT OF DIVIDENDS,
between life tenant and remainderman, 307.

APPRAISEMENT,
of damages where animals are injured, 1217.

APPRAISERS,
acting in condemnation proceedings, 970.
appointing to assess benefits and damages, 1015.
mandamus to compel appointment of, 1016.
qualifications of, 1017.
incompetency of promoters to act as, 1017.
should be disinterested, 1017.
when required to be free-holders, 1017.

APPROACHES,
right to construct in the street, 1091.
to highway crossings, 1105, 1107.
where highway is carried over track, 1110.
mandamus to compel construction of, 1111.
duty as to those to private crossings, 1148.

APPROACHES TO BRIDGES,
implied power to condemn land for, 42.

APPROACHES TO STATIONS,
duty as to maintenance, 1590.
duty to keep in repair, 1641.

APPROACHING TRAIN,
negligence in attempting to pass in front of, 1168.

APPROPRIATION PROCEEDINGS,
See CONDEMNATION PROCEEDINGS.

APPROPRIATION UNDER THE EMINENT DOMAIN,
See EMINENT DOMAIN.

ARBITRATION,
power of corporation to refer matters to, 618.

ARCHITECTS' PLANS,
damages for loss of, 1740.

ARM OF SEAT,
negligence of passenger in sitting on, 1629, n.

ARREST,
See ASSAULTS.
railroad company liable for wrongful by its officers, 214.
liability of company for making, 303, 1265.

ARTICLES OF APPROPRIATION,
See PETITION; EMINENT DOMAIN; CONDEMNATION PROCEEDINGS.
in condemnation cases, 1028.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ARTICLES OF ASSOCIATION,
requisites of, 18, 36.
specifying objects of incorporation, 18.
stating place of operation, 18.
stating amount of capital stock in, 18, 36.
name of incorporators, 18.
residence of incorporators, 18.
describing line of road in, 18, 36.
signing and acknowledging, 18.
filing with secretary of state, 18, 36.
conditions precedent to filing, 18.
effect of recording in wrong book, 18, n.
name of directors in for first year, 19.
void ones, 20, n.
verifying and filing, 36.
stating corporate name in, 36.
stating termini of road in, 36.

ARTIFICE,
in securing acceptance of bill of lading, 1502.

ARTIST'S EASEL,
as baggage, 1646, n.

ASH PANS,
duty to inspect, 1224.
duty as to equipping locomotive with, 1224.
duty to keep in repair, 1224.
negligence in leaving open, 1225.
immaterial where fire spread from right of way, 1226.
burden of proof in showing condition of, 1242.

ASSAULTS,
See EJECTIONS.
liability for conductor's on passengers, 302, n.
receiver liable for conductor's, 577, n.
liability for those of employe, 1265.
by employes without scope of their employment, 1265.
duty of street railway companies to protect passengers from, 1096cx.
committed by conductor or porter of sleeping car, liability, 1618, 1640.
by sleeping car company's employes, 1621.
illustrative cases of liability for, 1638.
by employes upon passengers, 1638, 1836.
liability for those of ticket agent, 1638, n.
instructions on ejection of passengers, 1837.

ASSENT,
evidence of shipper's, to limitations in bill of lading, 1723.

ASSESSMENT,
See LOCAL ASSESSMENTS; TAXATION OF RAILROAD PROPERTY.
delegating authority to make, 258.
as evidence of value in condemnation proceedings, 1036b.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ASSESSMENT OF DAMAGES,
See COMPENSATION AND DAMAGES.
in condemnation proceedings, effect of, 1004.

ASSETS,
distribution on expiration of charter, 62.
how distributed on dissolution, preferred and common stockholders, 85.
right of creditors to follow, 535.
receiver will not be appointed where there are none, 540.

ASSIGNEE,
stockholder acting as, 169.
bringing suits against stockholders, 184.
can not enforce stockholders' statutory liability, 187.
right of to bring suit to foreclose mortgage, 510.

ASSIGNEE IN BANKRUPTCY,
suing to recover unpaid subscriptions, 184, n.

ASSIGNMENT,
See VOLUNTARY ASSIGNMENTS.
of corporate stock carries dividends, 84.
of certificate of stock on transfer, 97.
of right to collect calls and assessments, 145.
authority of directors to make, 253.
president has no power to make, 285.
of dividends, 305.
by corporations, 602.
does not amount to a dissolution, 602.
of lien for construction of road, 1073.
of claim for injuries to animals, 1215.
of bills of lading, 1428.

ASSIGNOR,
when assignor of bonds should be party to foreclosure suit, 510.

ASSISTANT SUPERINTENDENT,
authority to contract for care of injured employe, 222.

ASSUMPTION,
that person will get off the track, 1172, n., 1257.
when none that children will step from track, 1253, 1757.
that employer has done his duty, 1299, 1314, 1701.

ASSUMPTION OF FACTS,
instructions to juries must not assume facts in issue, 1847.

ASSUMPTION OF RISKS,
See RISKS.
in passing before train or locomotive, 1165, n.
where track is unfenced, 1270.
where employe knows of defective bridges, 1271.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ASSUMPTION OF RISKS—Continued.
in switch yards, 1272.
by car checker, 1272, n.
from ditches and drains along right of way, 1272.
condition of foreign cars, 1279.
of the service, 1288.
distinguished from contributory negligence, 1288a.
extraordinary risks not assumed, 1288.
from employer's methods of conducting business, 1289.
illustrative cases of, 1290.
from incompetency of co-employe, 1292.
by brakemen, 1296.
of uncompleted road, 1296.
by engineers and firemen, 1297.
directing a verdict, 1297.
from running of trains, 1298.
by car inspectors, repairers, and cleaners, 1298a.
defective tracks, 1301a.
use of snow plows, 1301a.
by conductor of defects in cars, 1301a.
miscellaneous risks, 1301a.
of dangerous service, 1302.
when working outside line of duty, 1304.
injury in crossing tracks going to and from work, 1303a.
effect of employers' liability acts, 1345.
risk from breach of statutory duty not assumed, 1345.
from known defects, 1345.
by passenger on freight train, 1582.
of jerks and jolts, 1589.
by riding on freight trains, 1609, 1629.
pleading, 1767.
evidence on issue of, 1795.
by passenger, 1833.

ATMOSPHERIC CONDITIONS,
excusing carrier's delay, 1555.

ATTACHMENT,
to secure lien on stock, 101, n.
appointing receiver is an equitable, 540.
obtaining priority over receiver by, 555.
when receiver's rights superior to subsequent, 563.
to secure possession of property for receiver, 565.
by and against receivers, 570.
against person interfering with receiver, 575.
of cars of foreign company, 624.
what railroad property liable to, 624.
obtaining jurisdiction over corporation by, 624.
when it will and will not lie against railroad companies, 624, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ATTACHMENT—Continued.
when shares of stock may be reached by, 626.
when action for may be removed to federal court, 646.
in personal injury cases, 1371.
duty of carrier on dissolution of, 1537.
carrier giving notice of, 1538.
as excuse for failure to deliver, 1538.
does not divest lien for freight charges, 1538.
effect on right of stoppage in transitu, 1538.
not effective against consignor, 1539.

ATTORNEY,
corporate power to choose, 203.
when may not become a director, 242, n.
shareholder may inspect record by, 265.
liability to one employed by general manager, 297.
of company may purchase for bondholders, 535, n.
not entitled to statutory preference in favor of laborers, 605.
verifying petition for condemnation, 1028.
misconduct of, in trial of causes, 1704.

ATTORNEY-GENERAL,
prosecuting quo warranto proceedings, 54, n.
as relator in suits for mandamus, 643.

ATTORNEY'S FEES,
when those of complainants in suit for receiver should be paid out of assets, 585.
allowing receivers for, 585.
when given as penalty, 715.
for foreclosure lien of local assessment, 789, 791.
in stock-killing cases, 1183.
conditions precedent to right to recover in stock-killing cases, 1220.
in suit for injuries to animals, 1220.
in fire cases, 1246.
constitutionality of statutes allowing recovery of, 668

AUTHORITY,
to extend line into foreign state, 26.
to acquire property in foreign state, 26.
for a particular corporation to incorporate, 37.
general authority of railroad companies, 41.
of legislature to amend charter, 43.
to sell corporate franchises, 71.
effect of agent exceeding in taking subscriptions, 128.
how much proxy possesses, 162, n.
effect of agent exceeding, 198, n., 220.
proving agent's, 211.
of officers and agents, 213.
liability for acts of agent performed within, 214.
exercise of by agents, 220.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

AUTHORITY—Continued.
extent of directors', 253.
of conductor, 302.
effect of exceeding in making contracts, 350.
extent of receiver's, 566.
of receiver to maintain suits, 568.

AUTHORITY TO SUE,
courts granting to receiver, 568.

AUTHORIZED LEASE,
duties of lessee under, 458.
rights and duties to which lessee company succeeds, 461.
liability of lessor for injuries caused by negligence of lessee, 467.
liability of lessor for lessee's negligence in operating road, 468.

AUTOMATIC COUPLERS,
when may be required, 724.

AUXILIARY PROCEEDINGS,
when not a suit within removal act, 646.

AWARD OF COMMISSIONERS,
See EMINENT DOMAIN.
estoppel to deny, 933.
how affects damages in condemnation proceedings, 980, n.
issuing execution on, 1033.
when will not be set aside for technicalities, 1039.
setting aside where there was no hearing, 1039.
effect where no evidence is heard, 1039.
setting aside where contrary to evidence, 1040, n.
setting aside where evidence is conflicting, 1041, n.
effect of one made upon condition, 1042.
suit to enforce in appropriation cases, 1048.
effect of where railroad crossing condemned, 1119.

AXLE,
presumption of negligence from breaking of, 1644, n.

B

BACKING CARS,
negligence in, 1162.

BAD FAITH SUBSCRIPTIONS,
when cause for forfeiture, 49.

BAGGAGE,
penalties for detention of, 723a.
negligence in handling, 1256, n.
reasonable time for passengers to remove, 1464, n.
of person riding on pass, 1615.
when company a gratuitous bailee of, 1615, n., 1652, 1652a.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BAGGAGE—Continued.
when sleeping car company liable for loss of, 1622.
of passengers on sleeping cars, 1623.
burden of proof where it is lost on sleeping car, 1623.
effect of negligence in loss of, 1623.
passenger retaining custody of, 1623.
contributory negligence in loss of on sleeping car, 1624.
definition of, 1646.
what things are personal baggage, 1647.
rule for determining what things are personal baggage, 1647.
station in life of the passenger, 1647.
whose things passenger may carry as, 1647.
when a question for jury and when for court, 1648.
merchandise as baggage, 1649.
carriage free of charge, 1649.
carrier bound by act of baggage master in accepting, 1649, n.
papers, books and documents as, 1649a.
articles of infant traveling free with parent, 1650a.
excess of, 1650.
statutes regulating amount of, 1650.
when company is liable as a common carrier, 1651.
loss by act of God, public enemies or inevitable accident, 1651.
of passengers on street cars, 1656a.
when company becomes liable for, 1651, 1653.
purchase of ticket not necessary to make carrier liable, 1651.
liabilty as between connecting roads, 1658a.
when liability for terminates, 1651.
delivery by carrier, 1652.
when company is liable as a warehouseman, 1652.
presumption of negligence in loss, 1652, n.
duty of carrier to store, 1652.
when liability as warehouseman commences, 1652.
when carrier is liable as gratuitous bailee, 1652.
giving owner reasonable opportunity to claim, 1652.
illustrative cases of what is reasonable time to remove, 1652, n.
delivery to the company, 1653.
delivery necessary to impose liability, 1653.
acceptance, 1653.
there may be constructive acceptance of, 1653.
rule where passenger retains custody of, 1654.
baggage checks, 1655.
penalty for failing to check, 1655.
baggage on one train and owner on another, 1656.
rule where it is received by mistake, 1657.
shipped over connecting lines, 1658.
liability of initial carrier for loss of, 1658.
authority to check over different lines, 1658.
duty of owner as to delivery of, 1659.
delivery on forged order, 1659.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BAGGAGE—Continued.
liability for loss, injury or delay, 1660.
who may recover for loss of, 1660.
joint action for loss of, 1660.
limiting liability for loss of, 1661.
lien on for carriage, 1661.
damages for loss and delays in transportation, 1662a.

BAGGAGE CARS,
prohibiting passengers from riding in, 200.
injury to passenger riding in, 1631.

BAGGAGE CHECKS,
definition and nature and use of, 1655.
as prima facie evidence of receipt of baggage, 1655.
compared to bill of lading, 1655.
judicial knowledge of use of, 1655.
contributory negligence in failing to read, 1655, n.
as evidence of contract, 1658.

BAGGAGE-MASTER,
power to permit persons to ride on train, 221.
assistance in making unlawful arrest, 1265, n.
as fellow-servant of other trainmen, 1330.
carrier bound by his acceptance of articles not baggage, 1649, n.
carrying dogs, liability of company, 1466.
when company not liable for assault by, 1638.
negligence in injuring passenger, 1641.
authority to receive merchandise as baggage, 1649.
authority to check baggage over connecting lines, 1658.

BAILEE,
gratuitous must exercise care, 1389.
warehouseman is, 1463.
in carriage of baggage, 1652, 1652a.

BAILEES FOR HIRE,
railroad companies are, 1454.
when common carrier liable as, 1533.

BALLAST,
brakeman assuming risk from lack of, 1296.

BANKRUPT,
right to vote shares of stock, 157, n.

BANKRUPTCY PROCEEDINGS,
against companies forming consolidated corporation, 610.

BARRIERS,
as a part of highway crossing, 1097.
duty to erect at highway crossings, 1107.
where highway is carried over track, 1110.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BARS,
at private crossings, 1193.

BASTARD,
right of action for death of, 1368.

BED CLOTHING,
as baggage, 1647.

BELL CORD,
injury by jerking of, 1609.

no duty to use on freight train, 1629.

BELLS,
requiring on locomotives, 721.
requiring company to ring, 1114.
expense of ringing not an element of damages, 1127.
duty to ring at crossings, 1206.
ringing while making up trains, 1258.

BELT RAILROADS,
organization and construction of, 919a.

BENEFICIARY,
bound by judgment against trustee, 1003, n.
executing release in death cases, 1376.
when barred in relief association, 1386.

BENEFITS,
See COMPENSATION AND DAMAGES.
stockholder retaining can not escape liability, 176, n.
as affecting validity of local assessments, 781.
as affecting right to levy local assessments, 786.
where property taken under eminent domain power, 982.
from construction of road, subject of contract between parties, 987.
different lines of decisions as to, 988.
when can not be set off against damages, 988.
how general affects question of damages, 988.
whether erection of depot is, 989, n.
from abandonment of existing lines, 990a.
general and special, 989.
confined to parcel or tract actually taken, 990.
when assessment need not be left to jury, 1012.
from opening highway across track, 1103.
effect of acceptance in relief department, 1382.
waiver of in relief association, 1385.

BENEFITS AND DAMAGES,
nature of tribunal for assessing, 1012.
appointing appraisers and commissioners to assess, 1015.

BEQUEST,
of shares of stock, 96.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BERTH,
effect of refusal to furnish, 1619.
action for refusal to furnish, 1619, 1620.
in sleeping cars, 1620.
how many may be sold to one passenger, 1620.
loss of ticket for, 1620.

BICYCLES,
as baggage, 1647, n.
injury to bicyclists at crossings, 1179d.
contributory negligence of rider, 1095.

BILL OF INTERPLEADER,
right of corporation to, 615.
where there are adverse claimants, 1544.

BILL OF LADING,
liability on one fraudulently issued, 303.
negotiability, 303.
estoppel to question statements in, 303.
issuance not necessary to liability, 1403, 1415, 1462.
liability commencing on issuance of, 1403, n.
as evidence of delivery, 1413.
definition, 1415.
two-fold character, 1415.
as receipt and contract, 1415.
what necessary to make up, 1415.
not negotiable as commercial paper, 1415, 1428.
parol evidence to contradict, 1415, 1419, 1423.
rules for construction of, 1415.
parol contracts effective as, 1415, n., 1417.
power of agent to issue, 1416.
where no goods are received, 1416, 1418.
validity of one signed by agent's substitute, 1416.
effect of unsigned, 1417, n.
execution of, 1417.
effect of blanks in, 1417.
may rest in parol, 1417.
shipper need not sign, 1417.
acceptance by agents, 1417.
effect of acceptance by shipper, 1417.
shipper making out, 1417, n.
premature issuance of, 1418.
as evidence of receipt of goods, 1419.
rights of bona fide purchasers, 1419, 1429.
parol evidence to vary, explain or contradict, 1419, 1423.
showing that goods were never received, 1419.
issuance to fictitious person, 1419.
as conclusive evidence of receipt of goods, 1419, n.
as evidence of condition, weight or contents, 1420, 1481.
effect of expression "more or less" in, 1420.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BILL OF LADING—Continued.
as evidence of value, 1421.
effect of misdescription in, 1422.
shipper misdirecting goods, 1422.
statement of weight not conclusive, 1420, n.
presumption that it expresses the contract, 1423.
effect of silence as to forwarding lines, 1423.
issuing after shipment, 1423.
parol evidence to explain ambiguity in, 1423.
explaining by proof of usage, 1423.
as evidence of contract, 1423.
construction of, 1424.
strict construction of, 1424.
meaning of letters "F. O. B.," 1425.
caption a part of, 1424.
written portions prevail over printed portions, 1424.
construction of particular words and phrases, 1425.
as muniment of title, 1426.
delivery by carrier under, 1426.
effect of delivery to consignee named therein, 1426.
rights of pledgee of, 1426.
effect of direction in to "notify" some designated person, 1427.
endorsement by consignor, 1427, n.
effect where drafts are attached to, 1427, n., 1530.
assignable but not negotiable, 1428.
fraudulent assignment of, effect, 1428.
rights of third persons who hold, 1429.
effect where stolen, 1429, n.
right of assignee to demand delivery where charges are unpaid, 1429.
with draft attached, 1429a.
duplicate bill, 1430.
original controls duplicate, 1430.
issuing in parts or sets, 1430.
change of consignment by shipper, 1431.
what constitutes through bill of lading, 1435.
effect of shipper's failure to read, 1438.
when connecting carrier bound by that of initial carrier, 1446.
effect of statement in that goods were in good condition, 1481.
effect of silence as to time of delivery, 1482.
shipper bound by conditions in, 1492, n., 1502, n.
effect of acceptance of one with special contract in, 1501.
when shipper required to sign, 1501.
effect of limitation in, 1502.
effect of acceptance, 1502.
effect of fraud or artifice in securing acceptance of, 1502.
custom to send after receipt of goods, 1502, n.
failure of shipper to read, 1502a.
alteration of, 1505a.
meaning of terms "in transit" and "in transitu," 1505a.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BILL OF LADING—Continued.
merger of oral negotiations in, 1503.
stipulating value and amount of damages in, 1510.
producing on delivery of goods, 1523.
sending with drafts attached, 1530.
right to surrender of on delivery by carrier, 1532.
non-delivery excused by failure to produce, 1535.
effect of assignment as collateral security, 1541.
how assignment affects freight charges, 1559.
baggage checks compared to, 1655.
use as evidence, 1722.
evidence of shipper's assent, 1723.
damages where goods sell for more than valuation in, 1736.

BILL OF REVIEW,
testing question of public aid by, 872.

BILLIARD SALOON,
as a part of dwelling-house, 924.

BILLS OF EXCHANGE,
attached to bill of lading, 1429a.

BLACKBOARDS,
compelling railway companies to maintain, 662.
when required at stations, 722.

BLANK,
assigning stock in, 97.
filling in transfer of stock, 97.
bonds negotiable in, 484.
effect of in bills of lading, 1417.

BLANK INDORSEMENT,
of cerificate of stock, 78, n.

BLANKET RATE,
validity of, 1683, n.

BLASTING,
damages caused by, 1057.
when company liable for, 1063.

BLIND PERSON,
duty at crossings, 1172.
care of street railway company as to, 1096de.
care required towards blind persons trespassing on tracks, 1265e.

BLOCKING FROGS,
negligence in failing to block, 1374, n.

BLOCKING SWITCHES,
duty in reference to, 1272.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BLUFF,
serving purpose of fence, 1184, 1196

BOARD,
of injured person as element of damages, 1811

BOARDING TRAINS,
liability for injuries received in, 1628.
when passenger guilty of negligence in, 1628.
evidence in actions for injuries, 1787.
instructions as to care, 1840.

BOARD OF DIRECTORS,
See DIRECTORS.
is not the corporation, 236.

BOILER,
presumption from explosion of, 1299.

BOILER WASHER,
as fellow-servant of hostler, 1346

BONA FIDE HOLDER,
of receiver's certificates, who is, 595.
when bonds void in hands of, 817, 888.
who is of municipal aid bonds, 882.
of municipal aid bonds, 896.
what necessary to constitute one a, 896.
regarded with favor by the courts, 897.
of bonds in excess of authorized amount, 898.
defenses to railway aid bonds in hands of, 898.
how affected by official certificates, 900.
when there can be none, 902.
extending doctrine of estoppel in favor of, 903.
how affected by sale of bonds for less than sum fixed by statute, 909.
defenses against bonds in hands of, 913.
of bonds, rights of as to payment, 918.

BONA FIDE PURCHASER,
of shares of stock, 79, n.
when holder of shares of stock is, 80.
of stock from trustee, 94.
of stock not registered, 98.
when not bound by corporation's lien on stock, 99.
who is of bonds, 484.
who is of negotiable bonds, 484.
when purchaser of bonds after maturity is, 484.
of receiver's certificates, 596.
as against land grants, 809.
bonds void in hands of, 895.
under bills of lading, 1419.
who is under bill of lading, 1429.

Digitized by Google

BONA FIDE PURCHASER—Continued.
of bills of lading, rights of, 1429.
how far a pledgee is, 1429.
right of stoppage in transitu can not be exercised against, 1541.

BONDED INDEBTEDNESS,
enforcing against consolidated company, 336.

BONDHOLDERS,
consent of not necessary to consolidation, 325, n.
when proper parties to foreclosure suit, 508.
mortgage trustee represents, 508, n., 514, n.
as plaintiffs to mortgage foreclosure suit, 509.
single one bringing suit, 509.
agreeing when single bondholder may sue, 509.
when all must be made parties, 509.
when need not request trustee to act, 514.
maintaining suit at law, 514.
decree which does not provide for is defective, 515.
becoming purchasers at foreclosure sale, 521.
suing to set aside fraudulent foreclosure sale, 529, n.
statute providing for reorganization by, 531.
when majority of may modify mortgage, 533.
may combine to purchase at foreclosure sale, 533, n.
effect where mortgage trustee combines with, 535.
company's attorney may purchase for, 535, n.
must show loss before can have receiver, 545.
applying for receiver where trustee fails to act, 549.
right to inspect books of receivers, 583.
when receiver's certificates a lien only against part of, 591.
when estopped to question receiver's certificates, 596.
committee of consenting to issue of receiver's certificates, 596.
rights of on dissolution of corporation, 614.
estoppel in favor of, 903.
effect of recitals in bonds against, 905
not bound by proceedings to which they are not parties, 914.
remedies of, 918.
compelling payment of money by mandamus, 918.
attacking construction contract, 1058.

BONDS,
See MUNICIPAL AID BONDS; PUBLIC AID.
corporate power to guarantee, 42, 481.
when prevent forfeiture of charter, 52.
power to issue new in place of lost, 80.
voting on condition as to location of terminus, 117, n.
effect of consolidation on, 126.
stockholder may purchase those issued by corporation, 169, n.
of officers and agents, 232.
ureties on those of officers and agents, 233.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BONDS—Continued.
when change in releases surety, 233.
power of directors to issue, 251.
authority of directors to authorize sale of, 258.
liability for those fraudulently issued, 282.
general power to execute and issue, 342.
sale of to directors, 348, n.
pledge of, 355.
authority to pledge, 355.
for conveyance of real estate, 422.
lessee guaranteeing payment of interest on, 437.
power of railroad company to issue, 480.
receiving in payment for stock, 483.
when convertible into stock, 483.
negotiability of, 484.
when purchaser takes subject to liens, 484.
validity of stolen, 484.
effect of prohibited sale at less than par, 484.
rights of bona fide pledgee, 484.
form and manner of issuing, 485.
right to assume regularity, 485.
authority of directors to authorize execution of, 485.
effect of over-issue, 485.
when must be certified and registered, 485.
payment of, 487.
payment before maturity, 487.
making them payable in gold, 487.
effect of changing new for old, 487.
of same series have no priority, 500.
bringing action at law upon, 509.
corporation pledging its own, 510.
maintaining suit at law on, 514.
receiving as payment on foreclosure, 515.
taking as payment on foreclosure sale, 521.
applying proceeds from foreclosure sale in payment of, 527.
director may own those secured by mortgage, 529, n.
exchanging old ones for those of new company, 533.
order fixing penalty in receiver's, 562.
removal of receiver for failure to file additional, 586.
power of corporation to execute bond in judicial proceedings, 618.
when subject to attachment or garnishment, 626.
on removal of causes, 653.
tax on, impairing obligation of contracts, 769.
when state has lien for guarantying, 813.
when void in hands of bona fide holders, 817.
issued in pursuance of public aid, validity, 826.
validity of railway aid bonds, 836.
can not be issued under power to make subscriptions, 839.
excessive can not be validated, 845.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* § 1076–1390; *Vol. IV,* §§ 1391–1851.]

BONDS—Continued.
how change in municipality affects those given to railroad, 853.
enjoining payment of illegal, 872, 873.
suits to cancel fraudulent, 874.
injunction to protect rights in, 1049.
of contractors, 1060a.
contractor giving to secure laborers, 1065.

BONUS,
by way of watered stock, 88.
right to as between life tenant and remainderman, 307.

BOOKS,
registering transfer of stock in, 92, 97.
determine right to vote, 157.
stockholders' right to inspect, 172.
corporate as evidence of existence of by-laws, 195.
right to inspect those of receivers, 583.
mandamus to compel inspection of, 637.
as baggage, 1647, n., 1649a.

BOOKS AND PAPERS,
duty of company to turn over to receiver, 562, n.

BOUDOIR CAR COMPANIES,
See SLEEPING CAR COMPANIES.

BOX CAR,
passengers riding in, 1629, n.

BRAKE,
latent defects in, 1296.
liability for defects in, 1296.
duty to provide proper ones, 1478.
negligence in failing to apply, 1589, n.
duty of railroad company as to safety of, 1296a.
federal act regulating safety of, 1296b.
power of city to compel electric brakes on street cars, 1096ag.

BRAKEMAN
declarations of, 219, n.
authority to permit persons to ride on train, 221.
no authority to employ subagents, 225, n.
when conductor may employ, 225, n., 302.
law fixing number to train, 724.
ejecting trespasser from train, 1255.
when may be trespasser, 1255.
standing on top of car under low bridge. 1271. n.
fellow-servant with switchmen, 1276, n.
when conductor not fellow-servant with, 1282, n.
assuming risks from jerks of train, 1290, 1296.
assumption of risks by, generally, 1296.
assuming danger of cattle-guards, 1296.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BRAKEMAN—Continued.
assuming risk of firemen running engine, 1296.
duty to complain of defects, 1296.
duty to in reference to couplings, 1296.
duty to keep platforms in repair for protection of, 1296.
when trainmaster fellow-servant with, 1318.
as fellow-servant of other trainmen, 1330.
recovering for engineer's negligence, 1344.
negligently injuring yard workman, 1346.
as person in "charge or control," 1356.
can not abrogate rules and regulations, 1580.
passengers obeying directions of, 1628, n.
no duty to furnish on every car, 1629.
negligence in leaving his post, 1635.
must not willfully injure passengers, 1638.
illustrative cases of liability for assaults of, 1638.

BRAKE WHEEL,
negligence for passenger to catch hold of, 1633.

BRANCH LINES OR ROADS,
termini need not be stated in charter, 36.
implied authority to construct, 41.
condemning land for, 42.
what are, 42, n.
when company can not construct, 374.
when included in mortgage, 497.
when receiver will not be appointed for, 555.
public aid to, 826.
municipalities taking stock in, 826.
location of, 923.
direction in which they may be built, 923.
constructing other branch from, 923.
conclusiveness of decision of directors to construct, 923.
may cross railroad, 923, n.
property may be condemned for, 960.
as public highways, 961.

BREACH OF CONDITION,
effect on land grants, 801.

BREACH OF CONTRACT,
in reference to right of way, damages for, 935, n.
injunction to prevent, 936.
remedies for, 1062.
to give passes, 1611.
failure to furnish sleeping car berth, 1620.

BREACH OF DUTY,
negligence arises out of, 1367.
must be shown in negligence cases, 1369.
by carrier while acting as warehouseman, 1463.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BREACHY ANIMALS,
company not required to fence against, 1184.

BREAKAGE,
stipulating against liability from loss by, 1513.

BREAKING BULK,
when will be compelled, 1395.
right of railroad companies to compel, 1395.
transfer of goods as between connecting carriers, 1395a.

BRIBERY,
effect of in election to grant public aid, 849.

BRIDGE COMPANIES,
as common carriers, 1400.
furnishing terminal facilities, 1400, n.
taxation of, 738b.

BRIDGEMEN,
as fellow-servants, 1332.

BRIDGES,
franchises for, 32, n.
railroad's implied power to erect, 41.
condemning land for abutments and approaches, 42.
across highways, 43.
duty of new company to maintain and repair, 532.
taxation of, 738b.
over water courses used for drainage purposes, 788b.
when mandamus will lie to compel construction of, 639, 1111.
damages caused by construction, 977.
damages for negligence in constructing, 977.
liability for negligently constructing, 1005.
construction of over navigable waters, 1057c.
obstruction of streams by, 1057d.
right of company to construct in street, 1091.
duty to build over the track, 1107.
where highway is carried over track, 1110.
duty to protect from animals, 1196.
animal injured on, in fleeing from train, 1207.
negligence in constructing, 1263.
injuries to employes by narrow, 1271a.
as a part of working place, 1271.
duty of passenger carrier concerning, 1586.
duty to passengers in respect to, 1629.
presumption of negligence from giving way of, 1644, n.
pleading injuries to trainmen from low, 1770.
evidence in actions for injuries caused by contact with low, 1797.
instructions in actions for injuries to persons by, 1838.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BROKEN RAIL,
derailment caused by, 1634.

BROKER,
municipal aid bonds may be sold through, 879, n.

BUFFERS,
rule where they are of unequal height, 1279.

BUILDINGS,
taking under power of eminent domain, 968a, 973.
cost of removing in condemnation proceedings, 996.
compensation for those taken by railroad crossing, 1127.
when personal property, 1233.
on right of way, destruction by fire, 1235.
erecting near right of way, 1238.
measure of damages where destroyed or injured by fire, 1239.

BULK,
right to compel breaking of, 1395.

BULLETINS,
when required at stations, 722.
power of railroad commission to compel maintenance, 682.

BUMPERS,
assuming risks of, 1296.
duty to supply safe ones, 1296, 1296a.

BURDEN OF PROOF,
on company to show performance of conditions to subscriptions, 116, n.
to show that contract is illegal or ultra vires, 340, n.
to show jurisdiction in removal of causes, 655, n.
to show relinquishment of power of taxation, 746.
to show necessity for taking property, 973.
to show extra work, 1060, n.
to show effort to agree, 1119.
to show contributory negligence, 1163.
to show knowledge of defective fences, 1185.
to show that conditions to subscription were complied with, 863.
in action for injuries to animals, 1213, 1214.
in fire cases, 1222, 1242.
defense of contributory negligence not defeated by changing, 1238.
statutes changing in fire cases, 1242.
where incompetency of fellow-servant is alleged, 1286.
to show employer's breach of duty, 1309.
with respect to contributory negligence, 1313, 1696.
of assumption of risk, 1288a.
under employer's liability acts, 1349, 1353.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BURDEN OF PROOF—Continued.
to show that release is fraudulent, 1377.
to show delivery, 1413.
to rebut presumption that goods were in good order, 1420.
to show emergency for deviation from route, 1440.
to show that act of God caused loss, 1457.
to show loss by public enemies, 1458.
to show negligence of carrier, 1463.
on shipper to show unjust discrimination, 1467, n.
on carrier to show excuse for failure to furnish cars, 1477.
on plaintiff to show offer of goods, 1477.
to show reasonableness of time stipulation as to presenting claims, 1512.
in reference to contracts limiting liability, 1516.
of negligence in transportation of animals, 1548a.
to show negligence as to loss of freight, 1516.
to show negligence injuring live stock, 1548.
where property is lost on sleeping car, 1623.
in action for injuries to passengers, 1644.
presumption of negligence shifting, 1644, 1701.
in actions against railroad company, 1689g.
injury to live stock, 1719.
in cases of delay, 1720.
that injury could have been avoided notwithstanding vis major, 1721.
where employe's injury due to disobedience of rules, 1781.
instructions on, 1843.

BURGLARY,
breaking into depot, station-house or car is, 732.
what is necessary to constitute, 732.
attempt to break and enter car not a penal offense, 732.
indictment for burglary of railroad car, 732.

BUSINESS,
See Press of Business; Rush of Business.
conditions precedent to corporation doing, 19, n.
corporation doing foreign, 22.
appointing agent as condition to do in foreign state, 24.
restrictions upon foreign corporations doing, 30.
what constitutes, 30.
suspension of as cause for forfeiture, 49.
when regarded commenced by corporation, 51.
stating in notice of stockholders' meeting, 164.
what may be transacted at particular stockholders' meeting, 165.
suspension of does not work dissolution, 606.
taxation on basis of amount done, 738, 758, n.
employe can not control methods of employer's, 1289.
assuming risks from employer's methods of, 1297.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

BUSINESS—Continued.
effect of unusual press of, 1473, 1691.
power to make rules and regulations governing, 1576.
passenger seeking to deprive carrier of, 1577.
interchange of, 1685.

BY-LAWS,
corporation adopting, 19.
controlling payment of dividends, 83, n.
can not prevent transfer of stock, 92.
creating lien on stock, 99.
requiring cash deposit on subscription, 106, n.
creating right to forfeit stock, 149, n.
providing methods of sale of stock on forfeiture, 152.
restricting or enlarging right to vote, 156.
defining quorum of stockholders, 161.
regulating right to vote by proxy, 162.
power of stockholders to make, 163.
when may be made by directors, 163, n., 194.
when stockholder is chargeable with constructive notice of, 171.
for what purposes may be passed, 191.
can not be inconsistent with charter, 191.
power to make, 191.
who are affected by corporate, 192.
limits of power to make, 192.
reasonableness a question for the court, 193.
when part void and part valid, 193.
how rights are affected by repeal of, 193.
power to make resides with stockholders, 194.
formalities of enactment, 195.
proof of, 195.
when take effect, 195.
effect of amendment on minority stockholders, 196, n.
amendment of, 196.
repeal of, 196.
enforcement of, 197.
rules and regulations are in England, 198.
distinguished from rules and regulations, 199.
corporate liability can not be changed by, when, 213, n.
fixing compensation of officers, 230.
requiring bonds of officers, 232.
providing for removal of directors, 271.
providing for compensation of directors, 272.
defining president's powers, 284.
fixing powers of treasurer, 292.
effect of acts performed in violation of, 373.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

C

CABLE RAILROADS,
definition of, 9.
classed as street railways, 9.
are not additional burden to street, 9, 1088.

CABS,
franchise tax on cab service, 759.

CALCULATION OF CHANCES,
See MISTAKE IN JUDGMENT.
as contributory negligence, 1095.
negligence where traveler proceeds upon, 1165.
in crossing railway tracks, 1168.

CALLS AND ASSESSMENTS,
stock forfeited for non-payment of, 91.
on stock, 133.
when must be paid, 133.
nature and effect of, 134.
directors may make, 135.
directors must act as a body in making, 136.
discretion of board in making, 137.
charters and statutory limitations upon discretion in making, 138.
periodical installments, 138.
must affect all alike, 139.
subscription payable on demand, 140.
requisites of notice, 141.
constructive notice of, 142.
waiver by stockholder of notice and formalities of, 143.
demand and suit for, 144.
assignment of, right to collect, 145.
when courts may compel call and payment, 146.
extent of stockholder's liability for, 147.
agreements as affecting liability, 147.
construction of charter and statutory provisions regarding, 148.
remedies where stockholder fails to pay, 149.
cumulative remedies, 150.
election as to remedy to enforce, 150.
effect of forfeiture of stock, 151.
statutory method of forfeiture must be pursued, 152.
notice of forfeiture, 153.
defeating and annulling forfeiture of stock on, 154.
offering to pay in suit for injunction, 154, n.
money refunded for may be recovered when, 176.
duty of life tenant to pay, 308.

CANAL,
franchise for, 32, n.
building railroads across, 966.
assessing damages to land divided by, 992.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CANAL BASIN,
no implied power to build, 374.

CANAL BOATS,
when not covered by general mortgage, 495.

CANCELLATION,
setting aside that of subscription, 176.

CANYON,
location of road in, 922.
condemnation of rights of way through, 974, n.

CAPITAL STOCK,
stating amount in articles of incorporation, 18, 36.
amount to be subscribed before organization, 18.
certain amount per mile, 36.
increasing under statutory authority, 46.
effect of failure to pay, 51.
not synonymous with capital, 76.
can not exceed certain amount, 76.
definition of, 76.
increase and reduction of, 87.
subscription in excess of authorized invalid, 112.
change in releasing subscriber to stock, 122.
how payable, 133.
effect of irregularity in increasing, 155.
power of stockholders to increase or decrease, 163.
trust fund for creditors, 175, 600.
when directors may or may not increase, 236, 252.
stockholders proper parties to increase, 250, n.
must not be consumed by dividends, 315.
enjoining payment of dividend out of, 317.
distribution of property on reduction of, 320.
increasing and taking up bonds in payment for shares, 483.
taxation of, 738.
rights of remainderman on increase of, 307.

CAR CHECKER,
assumption of risk by, 1272, n.

CAR CLEANERS,
precautions for safety of, 1298a.

CAR INSPECTORS,
See INSPECTORS.

CAR REPAIRERS,
precautions for safety of, 1298a.

CAR SERVICE ASSOCIATIONS,
nature and objects of, 1568.
collecting demurrage through, 1568.
reasonableness of rules as to redress for excessive charge, 1568

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CAR TRUST CERTIFICATES,
priority of mortgage over, 500, n.

CARE,
See DEGREE OF CARE; NEGLIGENCE.
degree required of gratuitous bailee, 1389.
degree of required from street railway companies, 1402.
required on part of railway at private crossings, 1150.
traveler relying on company using, 1156.
degree of required in operation of trains, 1589.
degree of owing to person riding on pass, 1606.
degree of due to passengers on freight or mixed trains, 1629.

CARLISLE TABLES,
use as evidence, 1813.

CARRIERS,
See COMMON CARRIERS; RAILROAD AS CARRIERS; COMMON LAW DUTIES OF COMMON CARRIERS; STREET RAILWAYS; INTERURBAN RAILWAYS; CARRIERS OF PASSENGERS; CARRIERS OF GOODS; CARRIERS OF LIVE STOCK; INITIAL CARRIER; FREIGHT CHARGES; CONTRACTS LIMITING LIABILITY.

CARRIERS BY WATER,
right to charge demurrage, 1567.

CARRIERS OF GOODS,
See COMMON CARRIERS.
implied authority to charge tolls, 41.
rules affecting shippers and freight, 200a.
authority of receiver to contract for, 567, n.
mandamus to compel, 640.
breaking bulk, 1395a.
estoppel of carrier to raise question of ownership, 1413a.
damages for loss of commercial paper, 1739.
damages for loss of architect's plans, 1740.

CARRIERS OF LIVE STOCK,
See LIVE STOCK.
railroad companies are common carriers of live stock. 1545.
penalties for over confinement of live stock, 726a.
no liability for injuries arising from inherent nature of live stock, 1546.
duty to receive and carry live stock, 1547.
liability for negligence, 1548.
burden of proof to show negligence, 1548.
burden of proof as to negligence in transportation, 1548a.
care as dependent on climatic conditions, 1548b.
duty toward piled up and over heated animals. 1548b.
care as to fowls, 1548c.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CARRIERS OF LIVE STOCK—Continued.
care as to sick or pregnant animals, 1549a.
exposure to disease, 1549b.
rule where owner accompanies the stock, 1549.
contributory negligence of owner, 1550.
cars and appliances, 1551.
terminal charges, 1551.
duty to set aside car containing frightened animals, 1549c.
care as to make-up of train, 1550a.
duty to deliver at private yards, 1551.
rules as to sufficiency and condition of yards and pens, 1551a.
drinking water for stock in yards, 1553.
loading and unloading, 1552, 1554.
duty to feed, water and care for stock, 1553, 1554.
statutory regulations, 1554.
liability for delay, 1555.
liability for misdelivery, 1556.
liability for loss or failure to deliver, 1556.
limiting liability, 1557.
liability of connecting carriers, 1556a.
transporting diseased cattle, 1669, n.
pleading injuries to live stock, 1714.
miscellaneous questions of evidence in cases of injury to live stock, 1727.
hire of other animals as element of damages, 1735.
instructions in actions for injury for failure to feed and water stock, 1748.

CARRIERS OF PASSENGERS,
See PASSENGERS; INJURIES TO PASSENGERS.
general doctrine, 1573.
when railroad companies are not, 1573.
the duty to carry, 1574.
refusal to carry, extraordinary press of business, 1575.
refusal to carry, disregard of rules and regulations, 1576.
right to refuse to carry on account of color or race, 1577a.
carriage of dead bodies, 1577b.
improper or unfit persons, 1577.
who are passengers, 1578.
when relation of passenger and carrier begins, 1579.
authority of subordinate employes to create relation of carrier and passenger, 1580.
trespassers and intruders, 1581.
who are trespassers, 1581a.
taking passage on freight trains, hand-cars and the like, 1582.
nature of liability of, 1583
accidents, 1584.
high degree of care required of, 1585.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CARRIERS OF PASSENGERS—Continued.
duty as to road-bed and tracks, 1586.
duty as to engines, cars, equipments and appliances, 1587.
are not insurers, 1587.
duty to make inspections and tests, 1587.
duty to provide and equip trains with modern and improved appliances, 1588.
duty to make provision for feeding passengers, 1588a.
care required in operation of trains, 1589.
negligence in maintaining depot or station buildings, 1590.
duty to protect passengers from injury by third persons, 1591.
duty as to station buildings and lighting same, 1590a.
vestibuled trains, 1589a.
protection of female passengers, 1591a, 1591c.
duty to protect passengers from injury by strikers, 1591b.
termination of relation of carrier and passenger, 1592.
can not exact unreasonable fares, 1593.
construing tickets strongly against, 1598.
rates of fare—state regulations, 1593a.
rules requiring passengers to exhibit tickets, 1601b.
duty to person riding on pass, 1606.
validity of stipulation in pass against liability for negligence, 1608.
interstate commerce law regulating giving of passes, 1612.
liability for failure to stop at stations, 1627a.
duty as to announcing trains, 1628a.
duty to announce approach to station, 1628c.
duty to awaken passengers, 1621.
right to eject passengers, 1637.
liability for willful act of employes, 1638.
injury to health from exposure, 1641a.
contributory negligence of passengers illustrated, 1642a.
miscellaneous cases of injuries, 1645a.
liability for smallpox communicated by company's agent, 1645a.
injury from flying cinders, 1645a.
when have burden to disprove negligence, 1644.
can not contract for exemption from negligence, 1645.
when may make special rates, 1687, n.
two cent fare acts, 1670c.
pleading existence of passenger relation, 1756.
in actions for ejection, 1760.
in actions for injuries, 1757.
injuries due to failure to heat cars, 1758.
injuries to street railway passengers, 1759.
presumptions as to existence of passenger relation, 1776.
evidence, whether injured person was a passenger, 1784.
tickets as evidence of relation, 1785.
evidence in actions for injuries in boarding and alighting from cars, 1787.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

CARRIERS OF PASSENGERS—Continued.
evidence in actions for injuries during transportation, 1788.
evidence in actions for wrongful ejection, 1789.
damages recoverable for wrongful ejection, 1823.
care required of passengers to avoid injury, 1832.
instruction on contributory negligence and assumption of risk, 1833.
on ejection of passengers, 1837.
on improper speed of cars causing injury, 1835.
on injuries to passengers by trainmen or other passengers, 1836.
on liability to persons accompanying stock, 1838.
on condition of cars and premises, 1839.
relating to taking up of passengers, 1840.
on willful injury by, 1834.
in actions for personal injuries, 1830.
as to degree of care required, 1831.
as to care toward alighting passengers, 1841.
injuries from collision, 1842.
on burden of proof, 1843.
on measure of damages for injuries, 1848.

CARS,
personalty or realty, 31.
rules regulating use of by passengers, 200.
contract of station agent to furnish, 303.
attaching those in control of receiver, 570, n.
when may be attached, 624.
compelling company to heat, 668, 724, n.
indictment for leaving in public highway, 718.
penalties for failure to furnish, 722a.
requiring automatic couplers on, 724.
penal offense to climb on, 729.
shooting or throwing missiles at, 731.
attempt to break and enter not a penal offense, 732.
crime to break into, 732.
where may be taxed, 755, n.
how construction contracts affected by failure to furnish, 1062.
when lien for construction does not extend to, 1069.
when may be stopped in street, 1076.
running on track of another company, 1084.
obstructing streets by, 1090.
care of street railway company as to, 1096cu.
duty to carry light on, 1159.
backing and "kicking" over crossings, 1162.
passing over, under or between, 1169.
negligence in switching off burning car, 1225.
trespassers on, 1255.
when "staking" is not negligence, 1258.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CARS—Continued.
not regarded as dangerous machines, 1260.
looking for children about, 1260.
duty to children with reference to, 1260.
negligence in child crawling under, 1261.
leaving in highway, 1264, n.
brakeman standing on under low bridge, 1271, n.
duty to inspect, 1278.
using those whose buffers are of unequal heights, 1279.
duty to inspect foreign, 1279.
assumption of risk in coupling, 1296.
negligence in loading, 1301.
held to be machinery, 1338.
meaning within employers' liability acts, 1354.
duty to transport those of other companies, 1394.
transfer of goods from those of one company to those of another, 1395.
transfer of from line to line, 1395, n.
duty and liability of switching companies with reference to, 1398.
sufficiency of delivery to connecting carriers, 1412.
liability for furnishing unsuitable, 1448, n., 1478, 1618.
duty to furnish, 1470, 1551.
negligence in not adopting proper standard of, 1472.
express contract to furnish, 1473.
damages caused by delay in furnishing, 1474.
duty to provide for perishable property, 1475.
offer of goods where there is failure to furnish, 1476.
when there must be a reasonable demand for, 1476, 1691.
effect of inability to furnish, 1477.
burden on carrier to prove an excuse for failure to furnish, 1477.
duty of carrier to use proper ones, 1478.
selection of by shipper, 1480.
consignees unloading, 1521.
when delivery upon side track is sufficient, 1521.
injury to live stock by defective, 1548.
duty to furnish in which to carry live stock, 1551.
effect where shipper selects his own, 1551.
duty to furnish on reasonable notice, 1551.
right to charge demurrage for use of, 1566.
effect of delay in unloading, 1567.
duty owing to passengers in respect to, 1585.
duty of passenger carrier as to, 1587.
duty to properly couple owing to passengers, 1589.
negligence to leave in a dangerous position, 1589.
liability for furnishing unsafe or defective, 1618.
duty to provide means of reaching, 1628.
duty to keep aisles free from obstructions, 1621a.
duty to equip with air brakes, 1629.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CARS—Continued.
no duty to furnish brakeman for each one, 1629.
passenger going from one to another, 1630.
negligence for passenger to ride on top of, 1632.
negligence in assuming dangerous position in, 1633.
placing on switches so as to obstruct main track, 1636.
passenger injured by closing door of, 1639.
press of business as excuse for failure to furnish cars, 1691.
injury to shipment from loading, unloading or improper loading, 1751.
pleading injuries from failure to heat, 1758.
instructions on condition of, 1869.

CARTAGE,
delivery where it has been paid, 1518.
effect where carrier pays, 1566.
constituting undue preference, 1678.
furnishing as violation of interstate commerce act, 1682.

CARTAGE COMPANY,
whether agent of initial carrier, 1442.

CARTERS,
discrimination against, 1678, n.

CASH,
when stock must be paid for in, 110.
when subscription becomes payable in, 116.

CASH DEPOSIT,
how may be made on stock, 106.
when required to complete subscription to stock, 106.

CASUALTIES,
See ACCIDENT.
injuries to fences by, 1185.

CATALOGUE,
of salesman as baggage, 1647, n.

CATTLE,
See CARRIERS OF LIVE STOCK; ANIMALS.

CATTLE CHUTES,
duty to furnish, 1551.

CATTLE-GUARDS,
enforcing construction of by suit for specific performance, 416, 936.
when lessee must maintain, 461, n., 1208.
mandamus to compel construction of, 638.
requiring company to construct, 724.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CATTLE-GUARDS—Continued.
agreement to put in running with land, 936, n.
agreement to maintain as a condition subsequent, 941.
damage to crops by failure to erect, 996, n.
no extra pay for building, 1060.
laws passed after road built applicable, 1102.
cost as element of damage where street is opened, 1103.
sufficiency of, 1198.
how to locate at oblique approaches to highways, 1197.
definition of, 1198.
where must be maintained, 1198.
statutes requiring maintenance, 1198.
as part of fence, 1198.
in cities, towns and villages, 1198.
at margin of highways, 1198.
between fenced and unfenced track, 1198.
not required at private crossings, 1198.
what are sufficient, 1198.
evidence as to sufficiency, 1198.
duty to repair, 1198.
effect where obstructed by snow, 1185, n., 1198.
brakemen assuming risk of danger from, 1296.

CATTLE YARDS,
construction, 1056a.

CAUSA MORTIS,
gift of corporate stock, 96, n.

CAUSES,
See Removal of Causes.
removal to federal courts, 23.

CAUSES FOR FORFEITURE,
of charter, 47.
of corporate franchise, 48.
failure to run trains, 49.
failure to keep principal office in state, 49.
stopping trains for five days, 51, n.

CAUSES OF ACTION,
misjoinder of, 1215.

CEMETERIES,
liable for local assessments, 784.
when railroad can not be located through, 924.
when can not be condemned, 969.

CERTAINTY,
in petition for condemnation of real estate, 1029.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

CERTIFICATE,
See ENGINEER'S ESTIMATES.
tender back on rescission, 132.
as evidence of ownership of stock, 78, n.
scrip, when redeemable, 319.
of consolidation, 326, n.

CERTIFICATES OF COMMISSIONERS,
that rates are reasonable, effect of, 688.

CERTIFICATE OF INCORPORATION,
See CHARTER.
evidence of corporate existence, 18.
when and by whom granted, 36.

CERTIFICATES OF RECEIVERS,
See RECEIVERS' CERTIFICATES.

CERTIFICATES OF STOCK,
essentials of, 78.
effect of possession of, 78.
how transferred, 78.
when evidence of ownership, 78.
how far negotiable, 79.
what notice they give, 79, n.
new in place of lost, 80.
surrender of on transfer, 80, 97.
assignment of on transfer, 97.
issue of new after transfer, 97.
corporation insisting upon surrender of old, 98.
effect of accepting and holding, 103.
when do not determine right to vote stock, 157.
stockholders' right to demand, 157.
when scrip certificates resemble, 319.

CERTIFICATES TO BONDS,
conclusiveness of, 900.

CERTIORARI,
to review proceedings of railroad commissioners, 704.
testing validity of public aid by, 872.
as remedy in appropriation cases, 1016, 1054.
as remedy for landowner in appropriation cases, 1049.
who may apply for writ of, 1054, n.
affidavits and counter-affidavits in application for, 1054, n.
only questions of law considered on, 1054, n.
to review street opening proceedings, 1100.
injunction denied where there is remedy by, 1125.

CESTUI QUE TRUST,
compensation to in condemnation proceedings, 1003.
bound by judgment against trustee, 1003, n.
as party to condemnation proceedings, 1025, n.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

CHAIR CAR,
See SLEEPING CAR COMPANIES.
extra compensation for seat in, 200.
compensation for riding in, 1626.

CHALLENGE TO THE ARRAY,
of jurors in condemnation cases, 1017.

CHANGE OF CONSIGNMENT,
by shipper, effect of, 1431.

CHANGE OF GRADE,
abutter not entitled to compensation for, 1091.
at crossings, liability for, 1113.
at railroad crossings, 1122.
effect on private crossings, 1148.

CHANGE OF LOCATION,
when authorized, 929.
after first location finally completed, 930.
after condemnation proceedings begun, 930.
damages where there is, 930.
causes for, 930.
by purchasing right of way, 930.
right of landowner to petition for, 930.
compensation and damages for, 1004, n.

CHANGE OF MUNICIPALITY,
effect on public aid, 853.

CHANGE OF ROUTE,
effect on subscriptions, 116.
when may be made under land grants, 796.
rule where authorized by special charter, 930.
legislature authorizing, 930.
effect on compensation and damages, 999.

CHANGE OF VENUE,
affidavit of secretary in support of, 615, n.

CHANGING MONEY,
duty of street railway company to, 1096da.

CHANGING NAME OF CORPORATION,
immaterial amendment, 45, n.

CHARACTER,
of injured person as issue in action for damages, 1807.

CHARGES,
See RATES; FREIGHT CHARGES; DEMURRAGE; INTERSTATE COMMERCE; RAILROAD COMMISSIONERS.
when privilege of regulating passes on foreclosure sale, 525, n.
power of railroad commissioners to regulate, 689.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CHARGES—Continued.
test of reasonableness, 692.
carrier can not make unreasonable, 693.
rights and liabilities of connecting carriers as to, 1451.
actions for transportation charges, 1709.

CHARITABLE INSTITUTIONS,
liable for local assessments, 784.

CHARITABLE PURPOSES,
property used for exempt from taxation, 781.

CHARTER,
acceptance of, 17, 34.
can not be accepted conditionally, 17.
accepting in jurisdiction granting, 17.
state withdrawing before acceptance, 17.
takes effect upon acceptance, 17.
amending in different states, 27.
legislative act recognizing corporation is not, 29.
special charters and general laws, 34.
what constitutes charter, 34, n.
conferred by general laws, 34, n.
complying with terms upon which charter is granted, 36.
particular corporation must be authorized, 37.
construction of charter, 38.
strict construction of statute as to form of, 36.
general rules of construing charter, 38, 919.
granting monopolies, 39.
perpetual, 39.
practical construction of, 40.
to build and operate a railroad, 41.
what powers included in, 42.
amendment of, 43.
reserving power to amend, 43.
is contract, 43.
reserving right to amend or repeal, 43, 56, 770.
altering street railway, 43.
taking subject to future legislature, 43, n.
police regulations, 44.
material and immaterial amendments to, 45.
material amendments, 45.
consent of stockholders to amendment, 45.
statute authorizing amendment, 46.
forfeiture of, 47.
judicial determination of forfeiture, 47, 48.
forfeiture of charter rights of foreign railroad companies, 49, n.
causes for forfeiture, 48, 49, 51.
implied condition of forfeiture, 48.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CHARTER—Continued.
illustrative cases of forfeiture, 49
duty to declare forfeiture of, 50.
waiving forfeiture of, 52.
proceedings to forfeit, 53.
quo warranto to forfeit, 53.
parties to suit to forfeit, 53.
forfeiture of in court of law, 54.
collateral proceedings against, 53, 55.
pleadings in suit to forfeit, 55.
judgment in suit to forfeit, 55.
repeal of, 56.
repeal by exercise of conditional power, 57.
repeal where power not reserved, 58.
effect of repeal of, 59, 611.
repeal of by general laws, 60.
subject to general laws, 61.
expiration of, 62.
distinguished from franchise, 64.
supplement to is mere license, 69.
giving lien on stock, 99.
requiring subscriptions to be made in specified manner, 103.
altering route fixed by, 122.
authorizing change of route and termini, 122.
limiting power to make calls and assessments, 138.
construction of provision in regarding calls and assessments, 148.
providing remedy for enforcing calls and assessments, 149, n.
providing for forfeiture of stock, 150.
power of stockholders to amend, 163.
when single stockholder may prevent amendment of, 163.
conferring power to make by-laws, 191.
effect of expiration on liability of stockholders, 185.
by-laws must not contravene, 191.
prescribing how agents shall be appointed, 204.
powers conferred upon officers and agents by, 213.
fixing number of directors, 239.
stockholders proper parties to amend, 250, n.
when directors may accept amendment to, 252.
conferring power to consolidate, 322.
how changes in affect contracts, 344.
effect where it prescribes mode of contracting, 345.
must be followed in making contracts, 349.
conferring authority to purchase connecting lines, 519.
forfeiture of for attempted transfer of road, 519.
power to dispose of, 519, n.
authorizing mortgage with power of sale, 521.
receiver where it has been repealed, 550, n.
dissolution by repeal of, 606.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CHARTER—Continued.
surrender of on voluntary dissolution, 608.
quo warranto to declare forfeiture of, 609.
protection secured by, 657.
defense to action to forfeit, 696.
as contract between corporation and state, 769.
effect of reserving power to alter, 770.
when may be amended or repealed, 770.
conferring power to grant public aid, 836.
rule for construction of, 919.
effect of maps and plans referred to in, 919, n.
giving right to acquire land for right of way, 938.
fixing width of right of way, 973.
effect of entry under a void one, 998.
granting use of streets, 1076.
street railway companies, 1096b.
subject to police power and power of eminent domain, 1098.
imposing duty to restore highways, 1105.
taken subject to changes by law, 1223.

CHARTER FRANCHISE,
distinguished from license, 69.

CHARTER PROVISIONS,
contracting parties bound to take notice of, 350.

CHATTEL MORTGAGE,
when railroad mortgage need not be recorded as, 494.
when receiver may avoid, 537, n.

CHECK,
See BAGGAGE CHECKS.
payment of subscription by, 106, 110.
carrier accepting consignee's, 1530.

CHIEF OFFICER,
service of process where he is absent, 622.

CHILDREN,
duty of street railway company to, 1094.
age at which accountable for negligence, 1172.
injuries by street cars, 1096cl.
injuries at crossings, 1172.
duty to fence against those non sui juris, 1190.
when no presumption that they will step from track, 1253, 1757.
contributory negligence of parents, 1255.
trespasses by, 1255.
liability to those who are trespassers, 1259.
injured on turntables, 1259.
duty to those who are trespassers, 1259.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CHILDREN—Continued.
duty to those who are licensees, 1259.
contributory negligence on part of, 1259, 1261.
inviting or alluring into place of danger, 1259.
illustrative cases of injuries to trespassing, 1260.
conflicting cases of injuries to trespassing, 1260.
duty to in reference to cars, 1260.
injured by hand-car, 1260.
injured by exploding torpedo, 1260.
injured by defective gate in stock yards, 1260.
age as affecting negligence of, 1261.
effect where non sui juris, 1261.
when become sui juris, 1261.
seven years old may be guilty of contributory negligence, 1261.
presumption as to discretion of, 1261.
illustrative cases of contributory negligence of, 1261.
negligence in crawling under cars, 1261.
negligence in standing on track, 1261.
imputing parent's negligence to, 1262.
imputing custodian's negligence to, 1262.
degree of watchfulness required over, 1262.
duty to warn of dangers, 1283.
as heirs at law, 1361.
rights where father killed by negligence, 1363.
who may maintain action for death of, 1368.
accepting benefits in relief association, effect, 1387.

CHOSES IN ACTION,
must be enumerated to be covered by chattel mortgage, 495.
effect of dissolution on, 611.
disposition of on dissolution, 613.

CHURCHES,
liable for local assessments, 784.
when railroad can not be located through, 924.
when can not be condemned, 969.

CHUTE,
injuries on at stock pens, 1404.

CINDERS,
compensation for damages by, 978.
injury to passengers, 1645a.

CIRCUMSTANCES,
when may be considered in construing deed to railway company, 419.
negligence may be inferred from, 1309, 1644.
implying acceptance of passenger from, 1578.
affecting question of undue preferences, 1676.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CIRCUMSTANTIAL EVIDENCE,
in cases of injuries to animals, 1214.
of setting of fires, 1243.
to prove negligence, 1244.

CITIZEN,
railway company not always a, 21.
when railway company is of two states, 23.
railroad is of state chartering it, 29.
right of private to be relator in suit for mandamus, 643.

CITIZENSHIP,
where that of corporation is, 23.
of railroad in more than one state, 26.
concurrent legislation affecting, 26.
consolidation affecting, 26.
effect of license on, 29.
as affected by lease, 29.
as affected by authority to condemn land, 29.
as affecting right to remove causes to federal court, 645.
diverse as ground for removal of causes, 649.

CITY,
See MUNICIPAL CORPORATIONS.
enjoining laying of tracks in its streets, 630.
power to restore streets and recover expense from company, 639.
lighting tracks in, 668.
regulating speed of trains, 668.
may grant public aid, 847.
duties at crossings in greater than in country, 1161.
fences in, 1195.
exclusiveness of street railway franchises, 1096v.
cattle-guards in, 1198.
lookout for trespassers in, 1257.
discrimination against, 1676.

CITY FIREMEN,
when licensees, 1248.

CIVIL ACTIONS,
actions for enforcement of statutory penalties are, 712.
to recover penalties, 713.
proceedings in appropriation cases are not, 1010.

CIVIL ENGINEER,
See ENGINEER'S ESTIMATE.
not entitled to enforce personal liability of stockholders, 186.
authority to employ agents, 220.

CIVIL PRACTICE,
See PLEADING; EVIDENCE; PROCEDURE AND KINDRED TITLES.
proceedings by quo warranto governed by rules of, 644.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CLAIM OF OWNERSHIP,
as affecting title by adverse possession, 948.

CLAIMS,
when directors may purchase those against corporation, 275.
sale on foreclosure subject to, 515.
liability of receiver on those arising from operation of the road, 580.

CLAIMS FOR INJURY TO FREIGHT,
stipulations as to manner and time of presenting, 1512.
when must be presented in writing, 1512.
burden of proof to show reasonableness of time for presenting, 1512.
presentment as condition precedent to right of action, 1512.
effect of failure to present within time stipulated, 1512.
waiver of stipulation as to time and manner of presenting, 1514.
delay in presenting caused by act of the carrier, 1514.
pleading failure to give notice of claim of damages, 1717.

CLASSIFICATION,
of railroad property for taxation, 740.
of freight, effect of unreasonable, 1678.
of commodities subject to interstate transportation, 1678a.

CLIMATIC CONDITIONS,
care of animals as dependent on, 1548b.

CLIMBING ON CARS,
as penal offense, 729.

CLOTHING,
as baggage, 1647.
introducing that of injured party in evidence, 1700.

COAL,
railway company no power to deal in, 374.
giving group rates on, 1683.

COAL CHUTE,
action for damages for injury caused by, 631.

COAL TRAIN,
when person on is a passenger, 1582.

"C. O. D.,"
meaning of, 1425.
duty of carrier where goods are so marked, 1530.

CO-EMPLOYES,
See FELLOW SERVANTS.
presumption as to employment of competent, 1292.
duty to object to incompetency of, 1292.
duty to employ competent, 1284.
effect of concurrent negligence of, 1306.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COLD,
duty to protect freight from, 1478.

COLLATERAL ACTION,
raising grounds for forfeiture in, 47.

COLLATERAL ATTACK,
on corporate existence, 18, n.
on defective corporate organization, 20.
on consolidation, 323, 329, n.
on appointment of receiver, 564.
on void order of court, 575.
on report of master on receivers' accounts, 583.
on organization of corporation, 629.
on petition for railway aid, 858.
on railway aid proceedings, 865.
when injunction amounts to, 872.
because of irregularity in condemnation cases, 1018.
prevails against void proceedings, 1020.
on condemnation proceedings where there was no effort to agree, 1027.
on corporate organization of interurban railway, 1096bk.

COLLATERAL PROCEEDINGS,
attempting to declare forfeiture of charter in, 52.
in forfeiture of corporate charter, 55.

COLLATERAL SECURITY,
shares of stock put up as, 92.
authority of receiver to pledge, 567.
effect of assignment of bill of lading as, 1541.

COLLECTORS OF PORTS,
interference of, with delivery of goods, 1538a.

COLLEGES,
condemning property of, 964.

COLLISIONS,
See INJURIES AT CROSSINGS.
bringing joint action against two companies for injuries caused by, 617, n., 1132, 1635.
between street cars and vehicles or travelers, 1096cg.
between street cars and railroad trains, 1096ck.
liability of street railway company for, 1096cw.
at railway crossings, 1132.
fact of raising presumption of negligence, 1132, 1635.
rights of employes and passengers injured in at crossings, 1132.
duty of company and traveler to avoid, 1153.
with street cars, 1178.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COLLISIONS—Continued.
because of failure to perform duty to fence, 1191, 1192.
between railroad train and traction engine, 1179c.
with animals on track, 1204.
actual collision with animals, 1207.
mere proof of does not establish negligence, 1300.
injuries to employes by, 1300.
duty to stop to avoid, 1589.
recovery against two companies for, 1635.
contribution among companies causing, 1635, n.
pleading in actions for injuries in collision between steam and street car, 1765.
instructions in actions for injuries by, 1842.
instructions in actions for injuries at railroad crossings, 1850.

COLLUSION,
in foreclosure sale, effect, 529.
discharge of receiver appointed by, 548, 586.
removing receiver appointed by, 561, n.
effect of in attempting removal of causes, 647.
remanding causes from federal court on account of, 655.

COLORABLE SUBSCRIPTIONS,
when disregarded, 111, n.

COLOR BLINDNESS,
effect where employe has, 724.

COLORED PASSENGER,
separate cars for, 200.
separate accommodations for, 1665.
duty to protect, 1591a.
right to refuse to carry, 1577a.

COMBINATIONS,
to prevent voting at meeting of stockholders, 174.
to elect board of directors, when lawful, 174.
mortgage trustee can not make with bondholders, 535.
when those by employes not unlawful, 633.
federal power to suppress, 1674.
when unlawful, 1674, 1675.

COMBUSTIBLE MATERIALS,
See FIRES SET BY RAILWAY COMPANY.
compelling company to clear from tracks, 668.
duty to clear right of way of, 1226.
negligence per se in allowing accumulation of, 1226.
statutes requiring removal from right of way, 1226.
fires set to remove, 1227.
landowner not bound to remove, 1238.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMITY,
permitting corporations to do foreign business, 22.
in matter of appointing receivers, 555.
allowing receivers to sue in other jurisdictions, 570.
in reference to penal statutes, 710.

COMMERCE,
See INTERSTATE COMMERCE.
what power to regulate includes, 725.
what it means, 1663.
how far states have power to regulate, 1665.
railroads essential to, 1675.

COMMERCE AND MANUFACTURES,
federal power over, 1674.

COMMERCE CLAUSE,
how that of federal constitution affects power of the states, 658.

COMMERCIAL PAPER,
interest coupons are, when, 486.
receiver's certificates are not, 594.
railway aid bonds as, 882.
bills of lading not negotiable as, 1415, 1428.
railroad ticket not negotiable as, 1593.
damages for loss of, 1739.

COMMERCIAL TRAVELERS,
carrying merchandise as baggage, 1649.

COMMISSION,
promoter must turn over to corporation, 11.
right of receiver to, 584.

COMMISSIONERS,
See STATE RAILROAD COMMISSIONERS; REPORT OF COMMISSIONERS; COMMISSIONERS; INTERSTATE COMMERCE COMMISSION.
governing railroads by, 674.
making railway aid subscription, 862.
delegating power of eminent domain to, 952.
acting in condemnation proceedings, 970.
appointing to assess benefits and damages, 1015.
mandamus to compel appointment of, 1016.
stockholders acting as, 1017.
should be disinterested, 1017.
oath to be taken by, 1018.
summoning in appropriation cases, 1024.
meeting in appropriation cases, 1034.
determining open and close in appropriation cases, 1035.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMMISSIONERS—Continued.
power to act upon their own knowledge, 1039.
right to hear witnesses, 1039, n.
when must view premises, 1040.
report of in condemnation cases, 1041.
setting aside report of for fraud or misconduct, 1041.
report of must be in writing, 1041.
compensation of, 1041, n.
time in which to make report, 1043.
their affidavits admissible to impeach their report, 1044.
submitting report to court for review and correction, 1045.
misconduct of in appropriation cases, 1046.
to fix damages caused by railroad crossing, 1119.
power to locate crossing, 1119.
slightly changing point of crossing, 1120.

COMMITTEE,
when directors may delegate duties to, 257.

COMMON AGENT,
liability of connecting carriers for defaults of, 1447.

COMMON CARRIERS,
See CHARGES; PUBLIC CARRIERS; CARRIERS OF GOODS; CARRIERS OF LIVE STOCK; CARRIERS OF PASSENGERS; STREET RAILWAYS; INTERURBAN RAILWAYS; CONTRACTS LIMITING LIABILITY; DELIVERY BY THE CARRIER; INITIAL CARRIER; COMMON LAW DUTIES OF COMMON CARRIERS; FREIGHT; CONNECTING CARRIERS.
individuals may be, 1, n.
public control over private interests of, 1662d.
rules affecting passengers, 200.
power of station agent to contract for further transportation, 303.
duty of consolidated company to perform contracts of constituent company, 333.
duty of consolidated company to maintain depots under agreement of constituent company, 333.
liability of lessee as, 471.
railroads in process of construction a, 1393.
how far street railways are, 6, 1096cr, 1402.
railroads declared to be, 33, 1454, n.
not required to deliver goods beyond their lines, 303, 1433.
interurban railways, 1096bt.
who are passengers on street railways, 1096cr, 1096cs.
injuries to street car passengers in boarding or alighting, 1096cy.
care of street railway as to premises, tracks, and stopping places, 1096ct.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CARRIERS OF GOODS—Continued.
duty of street railway to protect passengers from personal violence, 1096cx.
when exempt from garnishment, 624.
rights of company charged with duties of, 960.
nature of duties of, 1391, 1454.
implied duties of railroads as, 1392.
carriage for other carriers, 1394.
presumption that companies act as, 1396.
becoming private carriers by contract, 1396.
switching companies as, 1398.
transfer companies as, 1399.
bridge companies as, 1400.
fast freight companies as, 1401, 1453.
express companies as, 1401, 1453.
distinguished from forwarders, 1401a.
dispatch companies as, 1401,
street railroad companies as, 1096cr, 1402.
no liability until delivery to, 1403, n.
as agents or factors, 1401b.
what constitutes complete delivery to, 1404.
liability of as warehousemen, 1409, 1463, 1464.
negligence preceding act of God, 1457a.
must have notice of delivery, 1410.
liability of connecting carriers as, 1442.
accidents do not terminate the duty of, 1485.
misdescription without fraudulent intent, 1491.
when liability as carrier commences, 1403.
reasons for holding them liable as insurers, 1497.
limiting their liability by parol, 1503.
contracts limiting liability strictly construed against, 1505.
waiving stipulation as to time and manner of presenting claims, 1514.
losing benefit of exemption by deviation from route, 1515.
undertaking to deliver, 1517.
when must make personal delivery, 1518.
giving consignee opportunity to unload and remove goods, 1521.
when make delivery at their own risk, 1524.
railroad companies are of live stock, 1545.
enlarging liability by contract, 1456.
as bailees for hire, 1454.
as insurers of goods carried, 1454, 1481.
duties imposed upon are imposed by law, 1454.
when liability of attaches, 1462.
duty to carry goods offered, 1465.
prohibited from making unjust discriminations, 1467.
when they are insurers, 1481.
insuring property in their custody, 1509.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CARRIERS OF GOODS—Continued.
when liability as ceases, 1527.
when must give notice to consignee, 1527.
when entitled to compensation for storage, 1533.
when liable as bailees for hire, 1533.
right to treat consignee as the owner, 1536, n.
seizure under legal process excuses delivery by, 1537.
duty of common carriers where goods are seized under legal process, 1537.
giving notice of attachment proceedings, 1538.
care as to make-up of stock trains, 1550a.
right to remuneration or compensation, 1558.
right to adopt reasonable rules and regulations, 1567.
lien for freight charges, 1570.
not insurers of safety of passengers, 1583.
sleeping car companies are not, 1616.
liability for loss of baggage, 1623.
invalid passengers injured by unreasonable delay, 1645a.
when not liable for loss of merchandise carried as baggage, 1649, n.
when company liable as for baggage, 1651.
when liability of for baggage ceases, 1651.
may not discriminate in favor of themselves, 1662c.
duty to store baggage, 1652.
lien of on baggage for charges, 1662.
remedy for breach of duty by, 1690.
parties to actions against, 1692.
form of action against, 1693.
pleading in actions against, 1694.
evidence in actions against, 1695.
right to sue third persons for injuries to goods, 1705.
actions for breach of contract of transportation, 1706.
liability for refusal to receive or carry, 1707.
replevin of goods by consignee, 1708.
actions for transportation charges, 1709.
title of shipment in consignee, 1710.
delay not equivalent to conversion, 1710.
consignee must receive though transportation delayed, 1710.
carrier a warehouseman, 1711.
pleading delay in transportation, 1712.
loss or injury of goods, 1713.
failure to deliver, 1715.
limitation of liability, 1716.
failure to give notice of claim of damages, 1717.
presumptions and burden of proof in case of injury, 1719.
in cases of delay, 1720.
burden of proof that injury could have been avoided notwithstanding vis major, 1721.
bills of lading as evidence, 1722.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CARRIERS OF GOODS—Continued.
evidence in cases of delay in transportation, 1724.
as to loss or injury, 1725.
as to failure or refusal to deliver goods, 1726.
pleading and proof where goods have no market value, 1728.
damages for breach of contract to carry, 1729.
damages for delay in transportation, 1730.
special damages—loss of profits, 1731.
speculative and remote damages, 1733.
damages for injury to goods or stock in transit, 1734.
damages where the damaged goods sell for more than valuation, 1736.
damages for delaying notice of arrival of goods, 1732.
right of shipper to refuse partially damaged shipment, 1737.
damages for loss of goods, 1738.
damages for non-delivery, 1741.
exemplary damages for refusal to deliver, 1742.
instructions in actions against carrier, 1743–1755.

COMMON CARRIERS OF GOODS,
See COMMON CARRIERS; COMMON LAW DUTIES OF COMMON CARRIERS.
street railway companies are not, 1402.

COMMON COUNCIL,
when can not delegate its powers, 1078.

COMMON EMPLOYMENT,
See FELLOW SERVANTS; EMPLOYER'S LIABILITY ACTS.
what constitutes, 1320.
trainmen operating same train are engaged in, 1330.
defense of abridged by employers' liability acts, 1334.

COMMON LAW,
receiver, authority to sue, 570.
suit at to enforce payment of compensation and damages, 1048.
duty at to restore highway crossings, 1105.
duties at crossings under, 1156.
rule at as to fencing, 1180.
liability at for fires set, 1221.
rule at as to negligence of fellow-servants, 1316.
employers' liability acts changing, 1337.
no action at for injuries causing death, 1359.
presumption that it is in force, 1364, 1506, n.
rule at as to pooling contracts, 1675.
discrimination forbidden by, 1676.

COMMON LAW DEDICATION,
effect of, 947.

COMMON LAW DUTIES OF COMMON CARRIERS,
who are railroad carriers, 1453.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMMON LAW DUTIES OF COMMON CARRIERS—Continued.
fast freight lines, 1453.
union depot companies, 1453.
express companies, 1453.
general nature of, 1454.
what constitutes act of God, 1455.
express contract against act of God, 1456.
burden on carrier to show that act of God caused loss, 1457.
concurrent negligence, 1457.
loss caused by public enemies, 1458.
public enemies, mobs, strikes, 1459.
violence of mob does not relieve where there is express contract, 1460.
when exercise of public authority exonerates, 1461.
when liability as common carrier attaches, 1462.
railroad company as a warehouseman, 1463, 1464.
the duty to carry, 1465.
excuses for refusal to carry, 1466.
unjust discrimination forbidden, 1467.
like facilities to be furnished to all where like conditions exist, 1468.
how discrimination affects stipulations limiting liability, 1469.
duty to furnish cars, 1470.
duty to state ground of refusal to carry, 1471.
duty as to cars and equipment, 1472, 1478.
express contract to furnish cars, 1473.
duty as to goods requiring unusual facilities, 1474.
duty to furnish refrigerator cars, 1474.
acceptance of perishable property, 1475.
cars and equipment, 1475.
offer of goods where there is failure to furnish cars, 1476.
effect of inability to furnish cars, 1477.
burden on carrier to show excuse for failure to furnish cars, 1477.
influence of breach of duty on contracts limiting liability, 1478.
facilities for transportation, 1479.
duty as to yards and depot, 1479.
selection of cars by shipper, 1480.
negligence in handling goods, 1481.
general doctrine as to delay in transporting goods, 1482.
what constitutes unreasonable delay, 1483.
evidence of unreasonable delay, 1483.
accidents and obstructions causing delay, 1484.
accidents do not terminate the duty of the carrier, 1485.
care of goods during delay, 1486.
notice to owner of delay, 1487.
delay, destruction of goods awaiting transportation by fire, 1488.
delay in transportation caused by act of the owner, 1489.
duty to obey directions and instructions of shipper, 1490.
fraud of shipper, effect of, 1491.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMMON LAW DUTIES OF COMMON CARRIERS—Continued.
negligence of owner in packing and loading goods, 1492.
placing goods in an exposed position, 1493.
what law governs, 1494.
law of place, 1494.
conflict of law, 1494.
prohibiting carriers from limiting, 1499, 1670.

COMMON OFFICERS,
contracts of corporations who have, 348.

COMMON STOCK,
nature of, 77.
divided into shares, 78.
enjoining payment of dividends on, 83.

COMMON STOCKHOLDERS,
rights on dissolution, 613.

COMMUTATION TICKETS,
See MILEAGE TICKETS.
discrimination by refusing to sell, 1600.
when may be issued, 1600.
under interstate commerce act, 1687.

COMPENSATION,
See CHARGES; FREIGHT CHARGES; RATES; EMINENT DOMAIN; DAMAGES.
to abutters for constructing electric railroads, 8.
of officers, 230.
increasing director's during term of office, 272.
of directors, 272.
for carriage of goods, must be reasonable, 364.
right of receivers to, 584.
before crossing tracks of another company, 632.
legislature can not deprive railway company of right to, 659, 672.
periodic allowances to receiver before termination of receivership, 584, n.
railroad company's right to, 686, 1558.
definition of, 693, n.
required where private property is taken, 1011, 1126.
effect of deposit of compensation with court, 986.
company paying that of commissioners in appropriation cases, 1046.
where engineer refuses to furnish certificates, 1059.
where company prevents performance of construction contract, 1062.
for using track of another company, 1084.
for vacation of street, 1086.
for interference with easement of access, 1087.
for construction of bridges, viaducts or approaches in the street, 1091.
for crossing highway, 1101.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMPENSATION AND DAMAGES IN CONDEMNATION PROCEEDINGS,

See EMINENT DOMAIN.

when none allowed for private property taken, 950.
necessary where power of eminent domain exercised, 950.
when must precede taking of private property, 951.
for destroying spring in constructing line, 960.
where franchise is condemned, 967.
where exclusive grant or franchise taken, 968.
where there has been a taking of property, 976.
where property is condemned, 976.
for additional servitude, 977.
for destroying springs and wells, 977.
for interfering with riparian rights, 977.
for injuring or diverting stream of water, 977.
for property taken for public use, 979.
constitutional right to, 979.
as affected by federal constitution, 980.
constitutional right to does not extend to general damages, 981.
compensation must be made in money, 982, 1042.
deducting special benefits, 982.
measure of compensation is a judicial question, 983.
right to compensation not lost by conditional grant, 984.
time at which compensation is computed, 985.
compensation preceding taking, 985.
time of payment of compensation, 986.
title passes on payment of, 986.
making preliminary survey before paying damages, 986.
benefits, 987.
different lines of decisions as to benefits, 988.
general and special benefits, 989.
benefits confined to parcel or tract actually taken, 990.
remote or conjectural damages can not be allowed, 991.
to what particular real estate confined, 992.
damages confined to particular tract, 992.
injuries to part of tract of land not actually taken, 993.
elements of value, 994.
measure of damages, illustrative cases, 995.
improvements as affecting 995.
reversion as affecting, 995.
from smoke, dust and soot, 995.
on account of insurance of property near track, 996.
from increased damages by fire, 996.
noise and confusion as element of, 996.
for interfering with flow of water, 996.
for erecting fences, 996.
considering cost of removing buildings, 996.
for filling and restoring land, 996.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMPENSATION AND DAMAGES IN CONDEMNATION PROCEEDINGS—Continued.
illustrative cases of matters to be considered in estimating damages, 996.
improvements made by company under unauthorized entry, 997. [See, also, McClarren v. Jefferson Twp. (Ind.) 82 N. E. 73.]
when improvements not considered in estimating, 997.
where there has been an unauthorized entry, 998.
illustrative cases of improvements made by company under unauthorized entry, 998.
where there is deviation from proposed line or change of route, 999.
what covered by original award, 999.
owner at time possession is taken entitled to, 1000.
as between vendor and vendee, 1000.
assignment of claim for, 1000.
intervening petition to secure, 1001.
where land conveyed after condemnation proceedings commenced, 1001.
notice to purchaser by existence of railroad, 1002.
to whom compensation should be paid, 1003.
appeal from assessment of, 1004.
effect of assessment of damages, 1004.
when landowner estopped by accepting, 1004, n.
where there is change of location, 1004, n.
award of compensation does not cover negligent acts, 1005.
allowance of, 1006.
presumption of payment of compensation, 1007.
effect of statute of limitations, 1007.
waiver, 1008.
estoppel to claim, 1008.
compensation a judicial question, 1011.
who entitled to in condemnation proceedings, 1025.
right to does not pass by subsequent conveyance, 1025.
apportioning between lessor and lessee, 1025.
rule where can not be agreed upon, 1027.
where condemnation proceedings are abandoned, 1033.
confining evidence to market value, 1036.
when must be awarded separately, 1041.
effect of excessive award of, 1041, n.
when need not be itemized, 1042.
setting aside award because of misconduct of commissioners, 1046.
suit at common law to enforce payment, 1048.
when remedy for enforcement is exclusive, 1049.
when company's mortgagee or lessee liable for, 1048.
when must precede taking, 1048.
remedies to enforce payment of, 1048.
tender before entry in appropriation cases, 1048.
estoppel by accepting, 1049.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III.* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMPENSATION AND DAMAGES IN CONDEMNATION PROCEEDINGS—Continued.
where possession taken under erroneous proceedings, 1049, n.
right to possession after tendering, 1050.
tender in appropriation cases, 1051.
estoppel by acceptance of, 1052.
waiver of right to payment and tender of, 1052.
partial affirmance of award of on appeal, 1053.
when award of is not a contract, 1053.
for property taken by railroad crossing, 1126.
as affecting right to private crossings, 1139.

COMPENSATORY DAMAGES,
defined, 1798.
in actions ex contractu, 1693.

COMPETENCY OF EMPLOYE,
See FELLOW SERVANTS; MASTER AND SERVANT.
presumption of, 1285.
burden of proof where incompetency is alleged, 1286.
of engineer, 1297, n.

COMPETENCY OF WITNESSES,
in appropriation cases, 1037.
presumption as to, 1037.
when to object to, 1037.

COMPETENT SERVANTS,
duty to employ, 1284.

COMPETING LINE,
See PARALLEL LINES.
when one may not become officer of, 207.
persons interested in can not be directors, 242.
can not consolidate, 322.
what are, 322, n.
validity of contract to surrender traffic to, 359.
leases to, 447.
lands can not be condemned to prevent acquisition by, 962.

COMPETITION,
agreement to destroy as cause for forfeiture, 49.
contract to stifle is illegal, 366, 385.
validity of contracts limiting, 1675.
right to consider on question of rates, 1684g.

COMPETITIVE RATES,
as affecting question of discrimination, 1677.

COMPLAINT,
See PLEADING.
on calls and assessments, 144

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COMPLAINT—Continued.
showing leave to sue receiver, 572.
when incorporation must be alleged in, 617.
determining amount of controversy from, 648.
when not necessary before railroad commissioners, 695.
amendment as to parties, 713.
when petition in condemnation proceedings constitutes, 1028.
in cases of injuries to animals, 1215.
sufficiency of in fire cases, 1241.
evidence must follow, 1241.
based on willfulness, 1251.
averring lack of knowledge of defects, 1311.
under employers' liability acts, 1349.
in action for injuries resulting in death, 1359.
recovery must be had on theory outlined, 1594.
construction of, 1694.
when ordinance need not be copied in, 1698.

COMPLETED ROAD,
when not entitled to public aid, 877.

COMPLETION OF ROAD,
within prescribed time, 47.
mandamus to compel, 638.

COMPROMISES,
with stockholders, 177.
creditor making with stockholders, 183, n.
authority of treasurer to make, 292.
power of corporation to make, 618.
when may be made of qui tam actions, 713.
rights of informer, 713.
value can not be proved by offers of, 1218, n.
evidence of others not admissible, 1243.
in cases of injuries causing death, 1376.
when beneficiary may make of injuries causing death, 1376.
court directing, 1376.
avoiding, 1377.
tender in suit to avoid, 1377.

CONCERTINA,
when not baggage, 1647.

CONCOMITANT PERILS,
license taken subject to, 1250.

CONCURRENT ACTION,
of several states in creating corporations, 28.

CONCURRENT JURISDICTION,
conflict in courts having, 553.
as applied to condemnation proceedings, 1014.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONCURRENT LEGISLATION,
forming railroad companies by, 26.
citizenship of corporation formed by, 649.

CONCURRENT NEGLIGENCE,
in injuries to servants, 1306.
with act of God, 1457.
of carrier causing loss, 1488.

CONCURRENT POWER,
states and federal government, 1665, n.

CONDEMNATION,
See EMINENT DOMAIN.
by street railway company, 6.
right to condemn shares of dissenting stockholders, 325a.
power to acquire property by compared with power to acquire by grant, 399.
time of beginning fixes compensation, 985.
sufficiency of petition for, 930.
one proceeding does not exhaust power, 930.
contracts regulating matters of benefits, 987.

CONDEMNATION PROCEEDINGS,
See EMINENT DOMAIN; COMPENSATION AND DAMAGES IN CONDEMNATION PROCEEDINGS; PROCEDURE IN APPROPRIATION CASES; COMMISSIONERS.
raising grounds for forfeiture in, 47.
when will and will not be enjoined, 628, n., 629.
filing map as condition precedent to, 926.
when confined to map filed, 926.
against lands purchased by rival company, 927.
for re-location, 930.
change of location after they have begun, 930.
acquiring right of way by, 932.
after breach of conditions precedent, 944.
where license has been revoked, 949.
when jury trial allowable in, 951.
limited to what land, 954.
where company already owns land, 954.
construction of statutes granting right to condemn, 955.
right of foreign corporation to prosecute, 956.
when organization of de facto corporation can not be questioned in, 957.
where road is leased or in hands of a receiver, 958.
right of contractor or construction company, 959.
purposes for which railroad company may institute, 960.
showing public use in, 960.
purposes to which condemned land may be devoted, 960.
what amounts to a public use, 961.
considering prospective needs, 962.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONDEMNATION PROCEEDINGS—Continued.
effect of authority to build between two points, 966.
where two public uses can stand together, 966.
what estate secured under, 970.
when only easement acquired under, 972.
increasing width of right of way by, 971.
when statutory method is exclusive, 973.
enjoining condemnation of right of way, 974.
compensation where property damaged or injured, 978.
how award affects question of damages in, 980.
by United States, 980.
pay for improvements taken in, 985.
remote or speculative damages not allowed in, 991.
elements of value of property condemned, 994.
measure of damages, illustrative cases, 995.
jury fixing value in, 995.
damages to personal property in, 995.
considering cost of farm and private crossings in, 996.
cost for filling and restoring land, 996.
elements of damages in, 996.
effect of entry under irregular, 997, 998. [See McClarren v. Jefferson Twp. (Ind.) 82 N. E. 73.]
rights of vendor and vendee, 1001.
notice to subsequent holders, 1001.
rights acquired subsequent to, 1001.
who should be parties to, 1001.
intervening petition in, 1001.
to whom compensation should be paid, 1003.
rights of life tenant under, 1003.
rights of mortgagee under, 1003.
effect of future damages, 1004.
when interest may be allowed in, 1006.
statute of limitations governing, 1007.
jurisdiction of, 1014.
as matter of record, 1014.
when joint action of two tribunals required, 1014.
notice essential, 1019.
setting aside for lack of notice, 1020.
who should be made parties to, 1025.
effort to agree as preliminary to, 1027.
where compensation can not be agreed upon, 1027.
waiver of proof of effort to agree, 1027.
damages for delay in prosecuting or abandoning, 1032.
abandonment of, 1033, 1049.
abandoning after judgment, 1033.
when personal judgment may be rendered in, 1033.
when possession may be taken pending, 1033.
evidence of abandonment of, 1033.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONDEMNATION PROCEEDINGS—Continued.
not barred by former abandonment, 1033.
meeting of jurors or commissioners, 1034.
illustrative cases of evidence of value in, 1036.
value of real estate before and after taking, 1038.
when court may order view, 1040.
report of commissioners, 1041.
paying damages before taking possession, 1048.
vendor's lien in, 1048.
effect of abandonment of, 1049.
injunction as remedy in, 1049.
how and when appeal may be taken, 1053.
provisions for review of, 1053.
when appeal vacates, 1053.
certiorari as remedy in, 1054.
of property for approaches and abutments to highway crossings, 1105.
to secure railway crossing, 1117.
effort to agree as condition precedent to, 1119.
right to private crossings where right of way secured by, 1139.
as affecting duty to fence, 1193.

CONDEMNING COMPANY,
paying expense of constructing crossing, 1128.

CONDITIONAL CONVEYANCES,
acquisition of right of way by, 939.

CONDITIONAL DELIVERY,
reserving lien of carrier by, 1572.

CONDITIONAL GRANT,
right to compensation not lost by, 984.

CONDITIONAL POWER,
reservation of to repeal corporate charter, 57.

CONDITIONAL SUBSCRIPTIONS,
when become absolute, 111.
when may be made, 111.
valid and invalid, 112.
death of subscriber revokes, 112, n.
acceptance of, 112, n.
mere offers until accepted, 113.
when become payable, 116.
effect of performance of conditions shortly after limited time, 116, n.
construction of, 117.
complying with as to beginning and completing road, 117.
when substantial compliance sufficient, 117.
location of terminus at certain point, 124.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONDITIONS,
implied in corporate charter, 43.
when valid in subscriptions, 111, 111a.
when invalid in subscriptions, 112.
what may be annexed to subscriptions, 112.
waiver of by subscriber to stock, 115.
as to beginning and completing road, complying with, 117.
to subscriptions, examples of compliance with, 117, n.
effect of in notes given to pay subscriptions, 120.
complying with as to location of depot, 125.
complying with as to location of terminus, 125.
performance of by consolidated company, 126, 329.
when must be expressed in subscription, 126.
effect of accepting deed containing, 416.
failure to comply with in mortgage as ground for foreclosure, 505.
state imposing in land grants, 797.
breach of those in land grants, 801.
legislature dispensing with those in land grants, 802.
rule where state renders those in land grant impossible, 807.
partial failure to perform those in land grant, 808.
waiver of those to grant of public aid, 844.
to grant of public aid, 851.
effect of those in municipal aid bonds, 851.
power of municipality to prescribe to grant of public aid, 852.
to public aid must be performed, 856.
voters affixing to vote of public aid, 862.
performance of those in municipal aid bonds, 893.
accepting conveyance of right of way on, 939.
when construed to be covenants, 939.
distinguished from covenants, 945.
damages for failure to perform, 984.
effect of award upon, 1042.
municipality imposing to use of street, 1081.
bill of lading assigned subject to, 1429.
shipper bound by those in bill of lading, 1502, n.
effect of those on face of ticket, 1593.
annexed to stop-over privileges, 1595.
validity of those in passes, 1607.
estoppel to question those in passes, 1613.
effect of in ticket, 1661.
affecting question of undue preferences, 1676.

CONDITIONS PRECEDENT,
to organization of corporation, 18.
appointing agent in foreign jurisdiction as to right to do business, 24.
to admission of foreign corporation, 30.
must not violate interstate commerce clause of constitution, 30.
against foreign corporations, examples of, 30n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONDITIONS PRECEDENT—Continued.
to enforcement of subscription, 111.
must clearly appear in subscription to stock, 118.
in note for subscriptions, 120.
location and construction of buildings as, 121.
to valid action by directors, 259.
to consolidation, 326, n.
in land grants, 794.
to grant of public aid, 852.
preliminary survey as to vote on public aid, 857.
filing map as to condemnation proceedings, 926.
to exercise of power of eminent domain, 933.
distinguished from conditions subsequent, 940.
effect of failure to perform, 490.
definition of, 940.
engineers' estimates as, 1059.
to laying railroad across street, 1101.
effort to agree, 1119.
to securing railroad crossing, 1134.
to recovery of double damages, 1219.
to right to recover attorney's fee, 1220.
to right of recovery for injuries causing death, 1359.
when presentment of claim for injury to freight is, 1512.
when surrender of bill of lading is to delivery, 1532.
when payment of freight charges is, 1558.

CONDITIONS SUBSEQUENT,
effect of in deed to railway company, 419.
when dissolution caused by failure to perform, 606.
land grants upon, 794.
distinguished from conditions precedent, 940.
breach of working forfeiture, 940, n.
what is sufficient performance of, 941.
effect of failure to perform, 941.
illustrative cases of, 941.
excuse for non-performance, 941.
opposed to public policy, 941.
remedies of grantor for failure to perform, 942.
bill for specific performance of, 942.
waiver of performance of, 942.
who can take advantage of breach of, 942.
construction of, 943.
compliance with, 943.
when equity will interfere in case of a breach of, 944.

CONDUCTORS,
power to adopt rules for surrender of tickets, 199, n.
rule requiring tickets to be exhibited to, 200.
authority to employ surgeon, 222.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONDUCTORS—Continued.
authority to fill absent brakeman's place, 225, n.
authority of, generally, 302.
authority to represent company in emergencies, 221a.
power to bind company by statement as to rate of fare, 302, n.
receiver liable for malicious assult by, 577, n.
when service of process upon is valid, 621.
liability for acts without scope of their employment, 1265.
liability for arrests made by, 1265.
when are not vice-principals, 1276.
when not fellow-servants of brakemen, 1282, n.
assumption of risk from defects in cars, 1301a.
contributory negligence of, 1315b.
when regarded as superior agents, 1330.
as fellow servants with other train men, 1330.
directing watchmen to couple cars, 1342.
fellow servant of motorman, 1333c.
constitutionality of statutes prescribing qualifications, 1336.
as person in "charge and control," 1356.
passengers may rely on statements of, 1576, n.
can not abrogate rules and regulations, 1580.
when passenger may not rely on representations of, 1593.
ticket as evidence between them and passengers, 1594.
when may expel passengers, 1594.
when not bound to take passenger's statement, 1594.
power to grant stop-over privileges, 1595.
not bound to accept detached coupons, 1597.
refusing to honor non-transferable ticket, 1599.
refusing to accept detached coupons, 1600.
effect of mistake of in collecting fare, 1603.
liability for assaults committed by, 1618.
not bound to awaken passengers, 1621.
starting train while passengers are alighting, 1628.
negligence of in starting train, 1628, n.
directing passenger to ride on top of car, 1632.
liability for willful acts of, 1638.
must not willfully injure passengers, 1638.
illustrative cases of liability for assaults of, 1638.
duty to protect passengers on train, 1639.
passengers acting under directions of, 1643.
judicial knowledge of functions of, 1689h.

CONDUCTOR'S CHECKS,
nature and use of, 1602.

CONFIRMATION,
of report of condemnation commissioners, 1045.
of sale on day different from that fixed by court, 524n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONFLICT OF AUTHORITY,
in issuing aid bonds, 885.

CONFLICT OF JURISDICTION,
in appointment of receivers, 553.

CONFLICT OF LAWS,
statutes forbidding proof of decisions or statutes of sister States as defense unconstitutional, 665.
in cases of injuries causing death, 1366.
on contributory negligence as defense in action for wrongful death, 1374.
pleading decisions or statutes of sister states under employers' liability acts, 1336.
taxation of domestic corporation on property permanently out of state, 755.
in determining liability of common carriers, 1494.
effect on contracts limiting liability, 1506.
governing railway passes, 1609, n.
power of State to tax franchises by sister State, 757.
suit on cause of action arising in another State, 623.
state regulation of commerce where congress has failed to act, 1671.

CONFLICTING FRANCHISES,
grant of impairing obligation of contracts, 968.

CONFLICTING GRANTS,
priority of location, 921.
earlier prevails, 921.

CONGRESS,
chartering railroads in territories, 15, n, 25.
restrictions upon foreign corporations by states, 30.
granting railroad charters, 34.
giving right to sue receivers without leave of court, 573.
act of authorizing removal of causes, 645.
removing suits against corporations created by, 652.
giving territories power of eminent domain, 950.
authorizing condemnation of land in territories, 980.
effect of inaction on part of, 1663, 1671.
power over interstate railroads, 1663.
power to establish railroads, 1663, n.
power to regulate interstate or foreign commerce, 1664.

CONJECTURAL DAMAGES,
in condemnation proceedings, 991a.
damages cannot be based on, 994.

CONJECTURE,
proof of negligence can not be left to, 1299.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONNECTING CARRIERS,
authority to contract for carriage of freight, 303.
liability for loss of freight, 303.
consolidation of, 322.
contracts between, 356.
leases to, 446.
power to purchase connecting line, 519.
authority to purchase, 519.
when transfer companies regarded as, 1399.
service of process on agent of initial, where last carrier is sued, 621.
right to demand prepayment of charges, 1395a.
delivery to, 1412.
when liability of attaches, 1412.
constructive delivery to, 1412.
carrier not bound to carry beyond own line, 1432.
duty of initial carrier where it refuses to receive goods, 1432.
duty to deliver to, 1432, n., 1442.
when initial carrier liable for defaults of, 1434.
when delivery to discharges initial carrier, 1435.
when initial carrier liable for negligence of, 1439.
transmitting instructions of shipper to, 1440.
joint liability of, 1441, 1445.
as partners, 1441, 1445.
definition of, 1442.
liability as common carriers, 1442.
commencement of their liability, 1443.
what constitutes complete delivery to, 1443.
duty to receive from predecessor, 1443a.
liability for defaults of the initial or other connecting carriers, 1444.
when liable for acts of other connecting carriers, 1444.
effect of initial carrier's contract on, 1446.
liability for defaults of common agent, 1447.
charging one singly, 1448.
liability for their own defaults, 1448.
extent of liability, 1449.
termination of liability, 1449.
duty of an intermediate carrier, 1449.
to secure further transportation, 1449.
effect of failure of one to receive goods, 1449.
each one limiting liability to its own line, 1449.
duty as to carriage of perishable goods, 1449.
duty to open and inspect cars, 1450.
presumption against last carrier, 1450.
rights and liabilities as to charges, 1451.
lien of for freight charges, 1451.
when not entitled to a lien, 1451.
effect of fraud on part of, 1451.
liability as between themselves, 1452.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONNECTING CARRIERS—Continued.
suing one causing injury, 1452.
custom and usage as affecting rights, duties and liabilities of, 1452.
relation of initial carrier to succeeding carrier, 1452.
duty as to payment of accrued charges, 1452.
duty as to transportation of live stock, 1551.
liability in transportation of live stock, 1556a.
apportioning charges, 1563.
forming car service association, 1568.
last one collecting freight charges, 1569.
when initial carrier may select, 1569.
rule as to lien for freight charges, 1569, 1570.
liability under through ticket, 1596.
of baggage, 1658.
formation of connecting line, 1681.
liability for loss of baggage as between, 1658a.
judicial knowledge of methods, 1689h.
instructions as to liability between, 1754.

CONNECTIONS,
map of proposed route need not show, 926.
power to compel railroad companies to condemn land for connecting tracks, 954a.
of tracks of steam and electric roads, 1056b.
between interurban and other roads, 1096bu.
power of state to compel connections between different carriers, 1662c.

CONNIVANCE,
legal proceedings secured by that of carrier, 1461.

CONSENT,
of stockholders to material amendments, 45.
to renewal of charter, 62.
for stockholder to act as assignee, 169, n.
of stockholders, necessary to execution of lease, 439.
receiver will not be appointed on parties', 541.
of interested parties to issue of receiver's certificates, 591.
justifying deviation from route, 1440.
of municipality to location of street railway, 1096i.
of property owner, 1096j.

CONSENT DECREE,
in railway forclosure proceedings, 515.
to forclosure of mortgage, 516.
effect of, 516.

CONSEQUENTIAL DAMAGES,
caused by construction of road, 1057.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONSIDERATION,
for grant of coporate franchises, 66.
for subscriptions, 109.
for condition to subscription, 112.
must be for issuance of receiver's certificates, 591.
as affecting validity of receiver's certificates, 595.
for exemption from taxation, 768.
for contract to influence location of road, 923.
revocability of license based on, 949.
for engineers' estimates and certificates, 1059.
tender back in suit to avoid release or compromise, 1377.
there must be for release, 1377.
for contract in relief department, 1383.
contracts limiting liability must be based on, 1500, 1504.
for reduced rate of freight, 1510.
when necessary to make a person a passenger, 1578.
effect where passes based on, 1608.
for contract to give passes, 1611.

CONSIGNEE,
consenting to delay in shipment, 1409.
delivery to carrier passes title to, 1414.
effect of refusal to accept goods, 1425, n.
presumption that title rests in, 1426, 1536, n., 1559, 1692.
effect of delivery to, 1426.
reasonable time to remove goods, 1464.
notice to terminating liability as common carrier, 1464.
when there must be personal delivery to, 1518.
giving him reasonable opportunity to remove goods, 1521.
entitled to specific article shipped, 1521.
when must unload cars, 1521.
has reasonable time in which to unload freight, 1521.
delivery must be made to right one, 1523.
delivery to without production of bill of lading, 1523.
right of carrier to require indentification of, 1525.
negligence in failing to identify, 1526, n.
notice to, 1527.
duty to exercise care in removing goods, 1527.
effect of knowledge of arrival of goods, 1527.
reasonable time to inspect and remove goods, 1528.
when entitled to right of inspection, 1528.
carrier accepting check of, 1530.
reasonable time to inspect and pay for goods, 1530.
effect of tender of goods to by carrier, 1530.
waiving delivery by carrier, 1531.
ratifying delivery to wrong person, 1531, n.
non-delivery caused by acts of, 1535.
right of carrier to treat him as the owner, 1536, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONSIGNEE—Continued.
notice to of exercise of right of stoppage in transitu, 1542.
delivery to defeating right of stoppage in transitu, 1543.
liability for freight charges, 1559.
suing for recovery of excessive charges, 1564.
effect of delay in unloading cars, 1567.
notice to before charging demurrage, 1567.
refusing to accept perishable goods, 1571.
no right of action for refusal to carry, 1691.

CONSIGNOR,
See SHIPPER.
shipping freight on order of, 1409.
effect of delay in shipment due to fault of, 1409.
indorsement of bill of lading by, 1427, n.
right to change consignment of goods, 1431.
directing storage of goods, liability as warehouseman, 1464.
when may be compelled to disclose character of goods, 1466, n.
notice to of delay, 1487.
carrier as agent of to collect money, 1530.
returning goods to, 1530.
notice to of consignee's refusal to accept goods, 1530.
right to change instructions or directions to carrier, 1536.
when attachment not effective against, 1538.
agreeing to terms of transportation, 1569.
when proper party plaintiff, 1692.

CONSOLIDATED CORPORATION,
See CONSOLIDATION OF CORPORATIONS.
fiction of corporation in each state, 28.
place of stockholders' meeting, 28.
performance of conditions by, 126.
making it a party to suits pending at time of consolidation, 338.
suing for torts and debts of constituent companies, 338.
jurisdiction over, 339.
acting as a unit, 339.
foreclosure of mortgage executed by, 513.
when acquires right of exemption from taxation, 525.
dissolution in case of, 610.
sufficiency of complaint against for debt of constituent company, 617.
liability for acts of lessee, 722.
right as to exemption from taxation, 747.
succeeding to rights of constituent companies, 886.
right to exercise power of eminent domain, 956.

CONSOLIDATED ROAD,
sale of on foreclosure, 523.
right to redeem mortgages on separate divisions, 530.

CONSOLIDATION AGREEMENT,
power of directors to make, 224.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONSOLIDATION OF CORPORATIONS,
See CONSOLIDATED CORPORATION.
statute authorizing applies to street railways, 6.
of interurban railways, 1096bl.
of parallel and competing lines, 322a.
by joint or concurrent act of state legislatures, 26n.
effect on citizenship, 26.
result of, 28.
is a material amendment, 45, n.
effect of unauthorized agreement of, 51.
effect on right to recover subscriptions, 126.
must be authorized by legislature, 322.
ratifying unauthorized, 322.
under general laws, 322.
statutory mode must be pursued, 323.
essential that both companies should be competent, 322a.
what is sufficient authority for, 322a.
whether authority is exhausted by one consolidation, 322n.
collateral attack on, 323.
effect of intention on, 324.
difference between and succession, 324.
right of majority to effect, 325.
when minority may prevent, 325.
release of municipality from subscription, 325.
right to condemn shares of dissenting stockholders, 325a.
release of dissenting subscribers by, 325.
statutory provisions for, 326.
certificate and evidence of, 326, n.
essentials of statutes authorizing, 326.
conditions precedent to, 326, n.
rights of old stockholders and their relation to new company, 327.
new company enforcing unpaid subscriptions, 327.
remedy of old stockholders, 328.
consolidated company succeeds to rights and liabilities of the old companies, 329.
debts and liabilities on, 329.
right of consolidated company to use patents owned by consolidating companies, 329, n.
how to plead, 329, n.
liability of consolidated corporation, 329n.
when special privileges and immunities pass to new company, 330, 747.
example of privileges which pass to new company, 330.
when special privileges do not pass, 331.
effect on exemption of one company from taxation, 330n.
duties and obligations of new company, 332.
liability of new company on old contracts, 333.
extent of new company's liability for torts, 334.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONSOLIDATION OF CORPORATIONS—Continued.
constituent companies usually dissolved, 335.
life and franchises of consolidated company, 335a.
duty of consolidated company to fulfill contracts of constituent companies, 333.
mileage tickets, 333.
extinguishment of old companies, 335n.
creditors of old company, 336n.
effect on liens, 336.
injunction as remedy against, 337.
distinguished from merger, 335.
effect of upon liens, 336.
enforcing bonded indebtedness against consolidated company, 336.
de facto one, 337.
estoppel by, 337.
quo warranto to determine validity, 337.
liability of constituent companies where it is set aside, 337.
effect of illegal one, 337, n.
effect upon pending suits, 338.
with foreign corporations, 339.
law of which state controls, 339.
power to does not authorize lease, 434.
effect on convertible bonds, 483.
priority of liens on, 500.
when does not amount to dissolution of old companies, 606.
stockholders may enjoin unauthorized, 634.
how affects citizenship of corporations, 649.
rule as to exemption from taxation on, 747.
right to aid bonds after, 886.
releasing stockholders, 886.
effect on railway aid bonds, 913.
effect on right to exercise power of eminent domain, 956.
power of states to regulate, 1670.
of parallel lines prohibited, 1670.

CONSPIRACY,
to control stockholders' meeting, 174.
effect of to prevent bids at foreclosure sale, 529.
when employes may be punished for, 633.
federal power over, 1674.
indictment for, 1688, n.

CONSTITUTION,
See TAXATION AS AFFECTED BY THE FEDERAL CONSTITUTION.
special act violating, 18, n.
conditions imposed upon foreign corporations must not violate, 30.
prohibiting special characters, 34.
practical construction of, 40.
corporate by-laws must not conflict with, 193.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

CONSTITUTION—Continued.
when case is said to arise under, 652.
how affects power of the states, 658.
protecting railway companies, 660.
a corporation is a person within, 660.
limiting exercise of police power, 664, n., 667.
secures equal protection of the laws, 773.
construction of provisions in reference to public aid, 815.
regarding provisions as mandatory, 815.
amendment impairing contract rights, 832.
grant of public aid protected by, 832.
prohibiting tax for private purpose, 877.
validity of bonds issued in excess of limits prescribed by, 888.
construing statutes so as not to conflict with, 889.
bonds issued in violation of are void, 895.
what is a taking of property within meaning of, 950, 976.
limiting and regulating power of eminent domain, 950.
requiring compensation to be made where private property is taken for public use, 951, 1126.
regulating procedure in appropriation cases, 1012.
employers' liability acts conflicting with, 1334.
effect of statute prohibiting carrier limiting liability, 1499.
commerce clause of, 1664.

CONSTITUTIONAL AMENDMENTS,
do not affect contract rights, 833.

CONSTITUTIONAL LAW,
See CONSTITUTION.

CONSTITUTIONAL LIMITATIONS,
on power to grant public aid, 816.
in reference to public aid, 817.
when do and do not impair obligation of contracts, 819.
as to public aid, operate prospectively, 819.
upon power of municipalities to incur debts, 820.

CONSTITUTIONAL PROTECTION,
railway companies entitled to, 661.
equal protection clause not violated by change in system of taxation, 772a.

CONSTITUTIONAL PROVISIONS,
in reference to submitting question of public aid to popular vote, 823.
affecting right of eminent domain, 951.
construction of those in reference to public aid, 1815.
prohibiting granting of passes, 1613.

CONSTITUTIONAL QUESTIONS,
See EMPLOYERS' LIABILITY ACTS.
removal of causes where they are involved, 652.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

CONSTITUTIONAL QUESTIONS—Continued.
validity of police regulations, 665.
in imposing penalties, 669.
giving double damages, 714, 1219.
compulsory establishment and maintenance of grade crossings, 671a
free transportation to live stock shippers, 672.
indicting railway company for causing death, 716.
statute requiring blackboards constitutional, 722.
statute creating personal liability for local assessment, 789.
statutes authorizing municipal aid to railroads, 814.
delegation of legislative power in reference to public aid, 821.
affecting municipal aid bonds, 877.
effecting right of eminent domain, 951.
condemnation of stock as impairment of contract, 950n.
statutes protecting laborers, 1065.
authorizing condemnation of railroad crossings, 1119.
statutes allowing condemnation of private crossings, 1142.
impairment of contract clause applicable to street railway charter, 1096b.
fencing statutes, 1183.
allowing attorney fee where stock is injured, 1220.
statutes imposing absolute liability for fires, 1223.
validity of employers' liability acts, 1335, 1336.
in case of injuries causing death, 1360.
prohibiting carriage of diseased cattle, 1547.
statute requiring feeding and watering of live stock, 1554.
validity of the interstate commerce act, 1666.
state regulation of rates, 1670a.

CONSTITUTIONAL RIGHTS,
when may be waived, 1008.

CONSTRUCTION,
See STATUTORY CONSTRUCTION; LIBERAL CONSTRUCTION; STRICT CONSTRUCTION.
of statutes authorizing condemnation proceedings is strict, 6, n.
of corporate charter, 38.
giving practical to railway grants, 40.
of contract of subscription, 104.
of conditional subscriptions, 117.
general rule for construing subscriptions, 126.
charter and statutory provisions regarding assessments, 148.
of deeds to railroad companies, 415.
of statutes authorizing railway leases, 433, 435.
of leases, 449.
of contract authorizing the use of tracks, 453.
of statutes authorizing appointment of receivers, 538.
of penal statutes, 710.
of statutes creating exemption from taxation, 750.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a, *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONSTRUCTION—Continued.
of land grants, 794.
of land grants, illustrative cases, 795.
of statutes authorizing aid to railroads, 831, 835.
of statute granting right to condemn, 955.
of grant to use streets, 1080.
of statute imposing duty to fence, 1181.
of employers' liability acts, 1337, 1338, 1342.
of statutes giving right of action for death, 1361.
of the interstate commerce act, 1667.

CONSTRUCTION COMPANY,
stockholder interested in, contract with corporation, 169.
power to take stock in railway company, 107.
right to condemn can not be delegated to, 959.

CONSTRUCTION CONTRACT,
president not authorized to make, 285.
to whom may be let, 1058.
attacking for fraud, 1058.
president becoming interested in, 1058.
when against public policy, 1058.
assignment of, 1058.
with receivers, 1058.
rules for construing, 1058.
when railway company may terminate, 1058, n.
effect of insolvency of surety on, 1058.
effect of failure of company to appoint engineer, 1059, n.
construction of particular terms in contracts, 1058a.
hardship as affecting, 1060, n.
recovering on quantum meruit, 1060, n.
remedy for breach of, 1062.
construction of contract of sub-contractor, 1061.
equity will not decree specific performance of, 1062.
when contractor may abandon, 1062.
company preventing completion, 1062.
effect of delay caused by the company, 1062.
effect of failure to make preliminary surveys, 1062.
effect of failure to secure right of way, 1062.
how affected by failure to furnish cars, 1062.
waiver of right to terminate, 1062.

CONSTRUCTION OF CHARTER,
rules for, 919.

CONSTRUCTION OF CONTRACTS,
See CONTRACTS.
construing bills of lading, 1424.
particular words and phrases in bills of lading, 1425.
of those limiting liability, 1505.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONSTRUCTION OF CROSSING,
duty in reference to, 1102.
enjoining, 1125.
sufficiency of private crossing, 1144.
enforcing construction of private crossings, 1145.

CONSTRUCTION OF ROAD,
See RIGHT OF WAY.
within prescribed time, 47.
when a condition precedent to payment of subscription, 121.
duty to construct, 1056.
authority and care required in, 1056.
use of timber and material from public lands, 811a.
use of lands acquired for right of way purposes, 946b.
condemnation of land to straighten track, 962.
right to consider negligent construction in condemnation proceedings, 991b.
power to construct side tracks and terminals, 1056n.
erection of roundhouses, shops, cattle yards, 1056a.
connection of tracks with those of other railroad, 1056b.
mandamus to compel restoration of abandoned railroad, 1056c.
consequential damages, 1057.
construction contracts, 1058.
liability for injuries caused by, 1057.
engineers' estimates and certificates, 1059.
raising grades so as to necessitate changes in adjoining buildings, 1057a.
excavation injuring lateral support, 1057b.
bridges over navigable waters, 1057c.
obstructing streams by bridges, &c., 1057d.
artificial channels for water courses, 1057e.
interference with flow of surface waters, 1057f, 1057g.
causing collection of stagnant waters, 1057i.
acts constituting nuisance, 1057j.
bonds of contractors, 1060a.
engineer's decision, 1059a.
extra work, 1060.
subcontractors, 1061.
remedy for breach of contract, 1062.
appointing receiver to complete, 1062.
who liable for negligent running of train in, 1063.
liability for injuries caused by blasting in, 1063.
when company liable for dangerous work, 1063.
liability of company for negligence of contractor or servants, 1063.
liability of contractor, 1064.
joint liability, 1064.
rights of laborers, 1065.
mechanics' liens, 1066.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONSTRUCTION OF ROAD—Continued.
statutes authorizing lien, 1067.
for what lien may be obtained, 1068.
upon what lien may be acquired, 1069.
who may acquire lien for, 1070.
mode of acquiring lien, 1071.
priority of liens, 1071.
assignability of lien, 1073.
enforcement of lien, 1074.
waiver of lien, 1075.
to conform to grade of streets, 1082a.

CONSTRUCTION TRAINS,
injuries to animals by, 1208.
when person on is a passenger, 1582.
assumption of risks in riding on, 1629, n.

CONSTRUCTIVE ACCEPTANCE,
of baggage, 1653.

CONSTRUCTIVE DELIVERY,
to connecting carrier, 1412.
connecting carrier's liability commencing with, 1443.

CONSTRUCTIVE NOTICE,
to purchaser of corporate stock, 94.
of lien on corporate stock, 99.
of calls and assessments, 142.
in appropriation cases, 1019.
is due process of law, 1019.
of street opening proceedings, 1100.
of defects in fences, 1185.
of delivery, 1410.

CONTAGIOUS DISEASE,
no obligation to carry passengers who have, 1393, n.
refusing to carry passenger who has, 1577.
contracting on sleeping car, liability, 1618.
ejection of passenger who has, 1637.

CONTEMPORANEOUS CONSTRUCTION,
effect of, 40.

CONTEMPT OF COURT,
suing receiver without leave of court, 572.
interfering with receiver, 575.
employes interfering with receivers guilty of, 575.
when strikers may be punished for, 633.
interfering with road in hands of receiver is, 633.
in refusing to obey writ of mandamus, 918.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTINGENCIES,
affecting damages in death cases, 1378.

CONTINUING DUTY,
duty to restore highway crossing is, 1111.
to keep highway crossings in repair, 1112.

CONTINUOUS LINES,
See CONNECTING CARRIERS; COMPETING LINE.
consolidation of, 323.
what are, 447, n.
mandamus to compel operation of road as, 638.
what is within interstate commerce act, 1667.
through rate over, 1686.

CONTINUOUS TRIP,
when passenger must make, 200, 1595.

CONTRACT RIGHTS,
not to be impaired, 832.
illustrative cases of impairment of, 833.
constitutional amendments do not affect, 833.

CONTRACTORS,
not bound to sound whistle, 1, n.
when not entitled to priority over mortgage, 500.
condemning property in company's name, 959.
when right to condemn can not be delegated to, 959.
when company not bound by acts of, 959.
can not prosecute condemnation proceedings, 1025.
right to damages for obstruction of work, 1058.
terminating construction contract on account of negligence of, 1058.
notice to of taking of measurements, 1059.
recovering for changes, 1060.
when entitled to pay for extra work, 1060.
relation of subcontractor to, 1061.
when may abandon work and recover, 1062.
bonds of, 1060a.
when entitled to recover for loss of profits, 1062.
damages where company delays, 1062.
when may recover on quantum meruit, 1062, n.
liability of company for negligence of, 1063.
effect of negligence in selecting, 1063.
effect where company pays employes of, 1063.
when company liable for trespass of, 1063.
when liable for negligence in running train, 1063.
when liable for nuisance, 1063.
liability of company for negligence in selecting, 1063.
bear relation of master to servants, 1064.
liability of, 1064.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRACTORS—Continued.
when jointly liable with company, 1064.
statutes protecting employes of, 1065.
giving bond to secure laborers, 1065.
guaranty of payment of contractors' claims, 1065a.
can not obtain lien as laborer, 1070.
creditor of not entitled to lien, 1070.
no duty to fence, 1186.
when liable for injuries to animals, 1208.

CONTRACTS,
See CONSTRUCTION CONTRACTS.
rescinding when made with promoter, 12.
personal liability of promoter on, 13.
promoters fixing own liability by, 13, n.
when promoters' bind corporation, 14.
ratifying promoters', 14.
railroad making as individual, 21.
of corporation extending into more than one state, 27.
incidents to power to make, 42.
implied authority to make, 42.
corporate charters are, 43.
when corporate charters are not, 56.
in reference to transfer of stock, void, when, 95.
to subscribe for stock, enforcing, 102.
interpreting contract of subscription, 126.
of subscription secured by fraud, effect, 127, n.
stockholder may make with corporation, 169.
power to make rests with directors, 170.
by-laws impairing obligation of is void, 193.
by agents, 216.
corporation ratifying when made by agent, 227.
what ones may be ratified, 228.
directors proper parties to make, 250.
when those with directors voidable, 275.
validity of between corporation and a director, 276.
personal liability of directors on, 279.
when president may make, 285.
ratification of president's unauthorized, 289, n.
power of secretary in reference to, 295.
when conductor may make, 302.
liability on after consolidation, 333.
where consolidated corporation may make, 339.
power to make, 340.
mode in which corporations may make, 340.
scope of corporate power, 341.
general power to make, 342.
as to location of depot, 342.
to let other company use tracks, 342.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRACTS—Continued.
courts controlling power to make, 343.
effect of changes in charter on, 344.
formal requisites of, 345.
when must be made under seal, 345.
effect of formal defects in, 346.
who may exercise power to make, 347.
by interested persons, 348.
power of directors to make delegated to executive committee, 347.
between companies with same officers, 348.
mode prescribed must be pursued, 349.
inferring from corporate acts, 349.
parties bound to take notice of charter provisions, 350.
unauthorized ones, 351.
effect of notice of power of corporation to make, 351.
effect of notice of facts in reference to, 351.
estoppel by, 352.
ratification of unauthorized, 353.
rights of the public and of creditors, 353.
when unauthorized ones can not be ratified, 353.
in conjunction with other parties, 354.
right of corporation to unite with individuals in making, 354.
pledge of corporate securities, 355.
between connecting lines, 356.
permitting use of part of road, 357.
for use of road upheld though lease unauthorized, 357.
regarding terminal facilities, 358.
to surrender traffic to competing line, 359.
rule for construction of, 359, n.
with municipal corporations for terminal facilities, 360.
in reference to use of tracks constructed under grant from municipal corporation, 361.
not to locate depot at place where needed, 362.
for location of stations, 362.
in reference to location of tracks, switches and the like, 363.
illustrative cases of those that may be made by railroad companies, 364.
pooling, 365.
when pooling are legal, 366.
pooling contracts closely scrutinized, 367.
between connecting and not competing roads not a pooling contract, 367.
definition of ultra vires, 368.
defense of ultra vires, 368.
effect of those which are ultra vires, 369.
executed in wrong mode are ultra vires, when, 369.
when are void, 369.
what ones are ultra vires, 370.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRACTS—Continued.
estoppel by those ultra vires, 371.
retaining benefit under ultra vires, effect, 371.
ultra vires, executed and executory, 372.
when may be set aside as ultra vires, 372.
cases holding contracts ultra vires discriminated, 373.
effect of full performance of ultra vires contract, 373.
implied power to make traffic arrangements, 374.
illustrative cases of ultra vires, 374.
rule where statute prescribes consequences of ultra vires, 375.
injunction as remedy in ultra vires contracts, 376.
laches preventing relief on ultra vires, 377.
who may contest ultra vires, 378.
how creditors affected by ultra vires, 379.
non-assenting stockholder assailing ultra vires, 380.
prohibited ones, 381.
illegal ones, 382.
illegal and ultra vires discriminated, 383.
classes of illegal ones, 384.
void because against public policy, 385.
when those as to location of stations and tracks are illegal, 386.
general conclusion as to those void against public policy, 387.
rule for determining whether against public policy, 387.
illustrative cases of those void as against public policy, 388.
law essential part of, 403.
formal execution of those relating to real estate, 410.
effect of those executed under corporate seal, 411.
power to make does not authorize leases, 434.
validity of as to use of part of road, 440.
dependent and independent ones connected with leases, 450.
to permit use of track not necessarily a lease, 451.
construction and effect of those granting right to use track, 453.
lessee not liable for lessor's, 462.
lessee's, 475.
of bondholders as to rights in reference to suits, 509.
when purchaser at foreclosure sale bound by those of old company, 526.
when new company liable on after sale and foreclosure, 526.
of receivers, 567.
power of equity to annul receiver's, 567.
court sanctioning those made by receiver, 567.
receiver not personally liable on, 576, n.
receiver personally liable on unauthorized, 576, n.
suing receivers on without leave of court, 573.
liability of receivers on, 579.
duty of receiver to perform those of the company, 579.
how affected by dissolution, 611, n.
right of corporation to bring action at law on, 615.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRACTS—Continued.
when party to estopped to deny corporate existence, 619.
when mandamus will not lie to enforce, 642.
orders of railroad commissioners are not, 687.
obligation of can not be impaired, 687.
impairing obligation by taxation, 768.
when exemption from taxation is, 770.
when can not be impaired by constitutional provisions, 819.
impairment by amending constitution, 832.
created by grant of public aid, 832.
vote in favor of public aid does not constitute, 861.
when created by grant of public aid, 863.
enforcing in reference to railway aid, 863.
specific performance of, 935.
restraining violation of, 936.
construction of contracts for rights of way, 934a.
power of eminent domain can not be surrendered by, 950, 963.
eminent domain can not be surrendered by, 963.
when award of damages is not, 1053.
to whom construction contract may be let, 1058.
how construction contracts construed, 1058.
construction of particular terms, 1058a.
effect of practical construction by parties, 1058, n., 1060.
waiving mechanic's lien by, 1075.
whether charter of street railway a contract, 1096b, 1096bn.
between city and street railway subject to police power, 1096o.
ordinances becoming, 1079.
charters are, 1098.
railroad crossings secured by, 1117.
enforcing one as to railway crossings, 1118.
as to expense of keeping watchmen at railroad crossings, 1129.
duty to stop at crossings imposed by, 1130.
as to priority of passage at railway crossings, 1130.
regulating repairs of railway crossings, 1134.
private crossings secured by, 1141.
to erect fences, 1188.
for performance of statutory duty, 1190.
in reference to locating buildings on right of way, 1235.
limiting liability for damage by fire, 1236.
basis of employer's duty, 1267.
employers' liability acts abridging right of, 1334.
waiving right of action, validity, 1358.
against future negligence, 1376.
validity of one against future negligence, 1390.
common carrier becoming private carrier by, 1396.
requiring shipper to load freight, 1405.
bills of lading as, 1415.
when that in bill of lading not variable by parol, 1423.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRACTS—Continued.
presumption that bill of lading expresses, 1423.
creating extra-terminal liability, 1433, 1434.
what constitutes for extra-terminal liability, 1435.
illustrative cases of those creating extra-terminal liability, 1436.
excluding extra-terminal liability, 1438.
against loss by mobs, 1460.
carrier enlarging liability by, 1456.
effect of failure of shipper to read, 1502a.
making common carrier liable as warehouseman merely, 1464.
how law of place of making affects, 1494.
parties naming law that governs, 1494.
partial invalidity, 1505a.
validity of one fixing value of goods shipped, 1510.
fixing freight rate by, 1560.
abandoning on account of accident, 1562.
validity of one to pay rebates, 1565.
ticket as evidence of, 1593.
to give passes, 1611.
against liability for injury to sleeping car employes, 1625a.
against liability for negligence, 1627.
baggage checks as evidence of, 1658.
power of states to regulate right to make, 1670.
in reference to interchange of freight, 1685.
electing to sue on, 1609.
actions for breach of contract of transportation, 1706.
damages for breach of contract to carry, 1729.

CONTRACTS LIMITING LIABILITY,
See LIMITATION OF LIABILITY.
the English rule, 1495.
conflict among the American decisions, 1496.
when there must be an express contract, 1496.
no right to contract against liability for negligence in most jurisdictions, 1497.
right to contract against liability for negligence in some jurisdictions, 1498.
right to limit liability prohibited by statute in some states, 1499.
right to limit liability by special contract in most jurisdictions, 1500.
must be reasonable, 1500.
effect of failure of shipper to read contract, 1502a.
must be based on consideration, 1500, 1504.
nature of special contract required, 1501.
limitation in receipt or bill of lading, 1502.
parol limitation, 1503.
lower rate as consideration for, 1504.
construction of, 1505.
effect of agreement for rebate of liability for negligence, 1504a.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRACTS LIMITING LIABILITY—Continued.
effect of partial invalidity, 1505a.
conflict of laws, 1506.
rule where repugnant to policy of the law of the forum, 1506.
power of agent to agree to limitation, 1507.
stipulation exempting carrier from liability for loss by fire, 1508.
stipulations as to insurance, 1509.
stipulation that value at place of shipment shall control in case of loss, 1510a.
stipulation as to value and amount of damages, 1510.
stipulation exempting carrier from liability in case of live stock, 1511.
stipulations as to manner and time of presenting claims, 1512.
delay not included in term loss, 1512.
stipulations intended to evade rule as to negligence, 1513a.
miscellaneous stipulations, 1513.
waiver of stipulation limiting liability or fixing time and manner of presenting claims, 1514.
benefit of exemption lost by deviation, 1515.
burden of proof, 1516.
in reference to carriage of live stock, 1557.
by sleeping car companies, 1627.
effect on injuries to passengers, 1645.
must be specially pleaded, 1696.

CONTRACTS OF SUBSCRIPTION,
See SUBSCRIPTION.
construction of, 104.
construction of for court, 104.
are several, 105.

CONTRIBUTION,
among stockholders, 183.
in favor of stockholders, 185.
on reclamation of dividends, 315.
for repairs made at railway crossing, 1134.
among connecting carriers, 1452.
among companies causing collision, 1635, n.

CONTRIBUTORY NEGLIGENCE,
freedom from on indictment for causing death, 716.
effect where plaintiff guilty of, 1095.
miscalculation of traveler at interurban crossing, 1096br.
traveler's at street railway crossings, 1096ci.
of persons using street occupied by street railway, 1096co, 1096cp.
"last clear chance doctrine" in street railway operation, 1096cq.
in calculation of chances, 1095.
of traveler at crossing, 1115, 1163.
on part of shipper, effect of, 1516.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRIBUTORY NEGLIGENCE—Continued.
in use of private crossing, 1151.
where there is breach of statutory duty, 1155.
where there was flagman at crossing, 1157.
in attempting to cross, 1157.
where there was flying switch, 1162.
when a question of law, 1163.
when presumption that there is none, 1163, 1701.
who has burden of proving, 1163.
when a question of fact, 1163.
when a mixed question of law and fact, 1163.
illustrative cases of at crossings, 1164.
rapid driving where view of crossing obstructed, 1164.
in approaching crossing with eyes and ears covered, 1164.
traveler approaching crossing with mind absorbed, 1164.
in crossing track immediately behind train, 1164.
in failing to stop before crossing track, 1167.
in passing under, over or between cars, 1169.
when a question of law, 1169.
in failing to use ordinary prudence, 1171.
on part of children and infirm persons, 1172.
intoxication as element of, 1172.
rule where person acts in sudden peril, 1173.
does not apply where there was willfulness, 1175, 1251, 1254, 1642
where person is injured at defective crossing, 1176.
that of street car driver not imputed to passengers, 1178.
of traveler at highway crossing for jury or court, 1179a.
when there is not in allowing animals to run at large, 1180.
where landowner knows of defective fence, 1185.
of owner of animals, 1206.
when animals are injured, 1209.
in allowing animals to run at large, 1209.
of owner of stock run over by train, 1209, n.
turning stock into field defectively fenced, 1209.
in abandoning animals, 1210.
where there is breach of statutory duty, 1214.
freedom from as part of case where animals are injured, 1214.
violation of ordinance not conclusive proof of, 1214.
in exposing property to fire, 1235, n.
where property is destroyed by fire, 1238.
defense of not defeated by changing burden of proof, 1238.
none in failing to put out fire breaks, 1238.
submitting question of to jury in fire cases, 1238.
by trespassing, 1254.
on part of parent, 1255.
in trespassing on railway track, 1257.
on part of children, 1259, 1261.
when child seven years old guilty of, 1261.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRIBUTORY NEGLIGENCE—Continued.
illustrative cases of children's, 1261.
imputing that of parents to children, 1262.
where horses are frightened, 1264.
persons injured while attempting rescues, 1265h.
when mere knowledge does not amount to, 1271, 1345.
in brakeman standing on top of car, 1271, n.
in failing to conform to schedules, 1281.
where employe fails to remedy defects, 1293.
distinguished from assumption of risk, 1288a.
of engineers, 1297, n.
in cases of collisions, 1300.
on part of employe in going outside scope of employment, 1303.
on part of employes, 1313.
burden of proof with respect to, 1313.
in disobeying rules or orders, 1313.
in failing to guard against dangers, 1313.
in leaving line of duty, 1313.
directing a verdict where there was, 1313.
illustrative cases of on part of employes, 1314.
employe acting upon assurance of employer, 1314.
acts of servants in sudden emergencies, 1314.
effect where employe acts in an emergency, 1314.
effect of inconsistent orders, 1314, n.
violation of statutory duty as, 1315.
of engineer and fireman, 1315a.
of conductor, 1315b.
of section men and track repairers, 1315c.
in mounting or alighting from moving cars, 1315d.
of railroad employes in walking upon tracks, 1315e.
in making "flying switches," 1315f.
of injured street railway employe, 1315h.
effect of employers' liability acts, 1344.
knowledge of defects as, 1345, n.
effect on presumption of negligence, 1350.
how employers' liability acts affect, 1357.
in injuries causing death, 1374.
relying on in actions for injuries causing death, 1374.
effect of, 1374, n.
as applied to street railway companies, 1402, n.
where there is loss by the public enemies, 1458.
where live stock is injured, 1548.
of owner where live stock is injured, 1550.
in riding in dangerous place, 1581, n.
of shipper of live stock as to pens and yards, 1551a.
of persons riding on pass, 1609, n.
of passenger on sleeping car, 1622.
in loss of property on sleeping car, 1624.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONTRIBUTORY NEGLIGENCE—Continued.
in assuming place of danger, 1628.
when passenger not guilty of in alighting from train, 1628, 1628, n.
when standing on platform of car is or not, 1630.
in alighting from moving cars, 1628b.
to ride on pilot or cow catcher, 1632.
in standing up in passenger car, 1633.
none in leaping from train to avoid collision, 1635, n.
illustrated in cases of injuries to passengers, 1642a.
effect of in action for injuries to passengers, 1642.
of passenger as to loss of baggage, 1654.
in failing to read baggage check, 1655, n.
may be pleaded generally, 1689c.
burden of showing freedom from, 1696.
when plaintiff must prove freedom from, 1696.
no presumption of freedom from, 1701.
pleading, 1771.
when sufficiently negatived, 1759.
of traveler injured by street car, 1791.
evidence of, at railroad crossing, 1793.
care required of passenger to avoid injury, 1832.

CONTROL,
right to require flagmen and signals at crossings, 662.
right to compel fast mail trains to stop at county seat, 668.
legislature may not authorize commission to take entire control of business in operation of railroad company, 679.

CONVENIENCE,
as an element in determining grade crossing, 1123.

CONVERSION,
appointing receiver when officers guilty of, 547.
authority of receiver to sue for, 568.
by the carrier, trover will lie for, 1519, n.
when misdelivery of goods by carrier amounts to, 1526.
when carrier liable for, 1692, n.
delay in transportation not equivalent to, 1710.

CONVERTIBLE BONDS,
when may be issued, 483.
can not ordinarily be sold at a discount, 483.
effect of consolidation on, 483.
negotiability of, 484.

CONVEYANCE,
mode of execution, 410.
construction of that to railroad company, 934.
grantee essential to, 933.
validity of that executed before organization of company, 933.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CONVEYANCE—Continued.
effect of one by husband only, 934.
of right of way, effect of, 937.
conditions subsequent in, 941.
when making and recording plat amounts to, 947.
how affects right to compensation and damages, 1025.
how conveyance of right of way affects right to private crossings, 1138.

CORAM NON JUDICE,
proceedings are where there is no jurisdiction, 1014.

CORPORATE ACTS,
jurisdiction where performed, 24.
when are void, 164.
inferring contracts from, 349.

CORPORATE BOOKS,
transfer of shares on, 78.
as evidence of stockholders' right to vote, 157.
stockholder not chargeable with knowledge of entries in, 171.
mandamus to secure right to inspect, 172.
right of stockholders to inspect, 172.
right of director to inspect, 271, n.

CORPORATE BUSINESS,
appointing receiver to continue, 545.

CORPORATE CHARTER,
See CHARTER.
construction of, 38.
is contract, 43.
power of legislature to repeal, 57.

CORPORATE CONTRACTS,
See CONTRACTS.
stockholder not chargeable with knowledge of, 171.
mode of executing, 410.

CORPORATE CREDITOR,
See CREDITORS.
can not institute forfeiture proceedings, 48, n.
setting aside sale of stock to the corporation, 95.
money paid on stock trust fund for, 110.
not affected by invalid conditions in subscriptions, 112.
secret agreements as to subscriptions amount to fraud against, when, 131.
when may have forfeiture of stock annulled, 154.
equity interfering in behalf of, 176.
suing for unpaid calls, 182.
property trust fund for on dissolution of corporation, 613.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATE DEBTS,
making calls to pay, 146.
enforcing unpaid subscriptions to pay, 179, 183.
when directors personally liable for, 282.

CORPORATE ELECTION,
when stockholder may enjoin holding of, 634.

CORPORATE EXISTENCE,
admission of, 53, n.
duration, 62.
terminates on sale of franchises, 75.
effect on right to hold real estate, 400.
grantor of real estate estopped to deny, 408.
when admitted by pleading general issue, 616.
effect of failure to allege, 616.
effect of verified plea denying, 616, n.
estoppel to deny, 619.
estoppel to question by issuing aid bonds, 898.
raising question of in condemnation proceedings, 957.
how appointment of receiver affects question of, 958.

CORPORATE FRANCHISE,
See FRANCHISES.
transfer of, 37.
construction of, 39.
subject to forfeiture, 48.
causes for forfeiture, 48.
abuse of, 48.
quo warranto to question, 53.
when abuse of is not ground for repeal, 58.
definition of, 63.
grant of, 65.
nature of, 67.
distinguished from corporate rights, 68.
judicial sale of, 72.
taking under power of eminent domain, 967.
distinguished from franchise or license to use streets, 1077

CORPORATE FUNDS,
restraining unauthorized use of, 27.
liability of treasurer for loss of, 294.
treasurer has care of, 294.
power to donate to concerts, etc., 374.
using for lobbying purposes, 374.
right of stockholders to enjoin diversion of, 634.

CORPORATE GRANT,
giving practical construction to, 40.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATE IMMUNITIES,
distinguished from franchises, 63.

CORPORATE NAME,
stating in articles of association, 18.
stating in charter, 36.
exclusive use of, 36, n.
effect of unauthorized attempt to change, 51.

CORPORATE OFFICERS,
subscribing for stock, 107.
compensation of, 230.
care required of, 233.
guilty of crimes, 709.
duties in reference to taxation, 742.
distinguished from agents and servants, 1266.

CORPORATE ORGANIZATION,
perfecting, 19.
waiving defective, 20.

CORPORATE POWERS,
acceptance of, 16, n.
unauthorized assumption of, 20.
user of as evidence of corporate existence, 18.
directors usually exercise, 235.
scope of in reference to contracts, 341.
effect of contracts beyond, 370.
grants of to be strictly construed, 906.
rule for construing grants of, 955, n.

CORPORATE PRIVILEGES,
authority to dispose of, 71.

CORPORATE PROFITS,
when creditors may reach, 309, n.

CORPORATE PROPERTY,
transfer of does not transfer corporate franchise, 37.
effect of repeal of charter on, 59.
effect of sale of on franchise, 51, n.
limitation of right to sell, 70.
sequestration of, 73.
power of sequestrator to sell, 73, n.
may exceed amount of capital stock, 76.
distinguished from capital stock, 76.
right of stockholders to purchase, 169, n.
by-laws regulating management of, 191.
stockholders not co-owners of, 237.
directors can not dispose of, when, 252.
directors can not give it away, 274.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATE PROPERTY—Continued.
purchase of by directors, 276, n.
power of directors to sell, 285.
unauthorized sale of by superintendent, 297.
taxation of, 738.

CORPORATE RECORDS,
need not show acceptance of charter, 17.
right of stockholders to vote determined from, 157.
right of shareholder to inspect, 265.
as evidence of directors' proceedings, 266.
proving contents of lost, 267.

CORPORATE REPRESENTATIVES,
appointment of, 203.
railroad companies act through, 203.
statutory privileges bestowed on, 205.
officers generally, 206.
qualification of officers, 207.
election of officers, 208.
agents, generally, 209.
proof of the existence of the relation of principal and agent, 210.
proof of authority, 211.
agency inferred, 212.
powers, duties and authority of officers and agents generally, 213.
authority of agent, 214.
line of duty, 214.
scope of authority, 215.
general doctrine as to contracts by, 216.
declarations and admissions of agents, 217.
declarations must relate to transaction or event in controversy, 219.
exercise of authority by agents, 220.
illustrative cases of scope of authority, 221.
physicians and surgeons, 222.
authority to employ surgeons, 222.
delegation of power to by directors, 224.
employment of subagents and servants, 225.
notice to agents or officers, 226.
ratification of their acts, 227.
acts that may be ratified, 228.
compensation of officers, 230.
individual liability of for their torts, 231.
bonds of officers and agents, 232.
distinguished from agents and servants, 1266.

CORPORATE RIGHTS,
distinguished from corporate franchise, 68.
authority to dispose of, 71.
are subject to the police power, 663.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATE SEAL,
making by-laws under, 195.
enacting rules and regulations under, 198.
contracts executed under, evidence, 411.
by whom must be affixed, 411.
as evidence of authoritative execution of mortgage, 491.
answer in garnishment under, 625.
effect of absence from municipal aid bonds, 881.

CORPORATE SECURITIES,
See BONDS; MORTGAGES.
pledge of, 355.

CORPORATION,
See ACTIONS BY AND AGAINST CORPORATIONS; INTERURBAN RAILWAYS; STREET RAILWAYS; FRANCHISES; DE FACTO CORPORATIONS.
may operate railroad, 1.
buying property from a promoter, 12.
when bound by contract of promoter, 14.
ratifying promoters' contracts, 14.
legislative authority essential to creation of, 15.
definition of, 15.
effect of acting as without authority, 15.
creation by special charter, 16.
words sufficient to create, 16.
when existence begins, 16.
accepting charter, 17.
creation under general laws, 18.
filing of proper articles brings into existence, 18.
evidence of its existence, 18.
complying with statute in organizing, 18, n.
confining to jurisdiction creating, 22.
doing foreign business, 22.
citizenship, 23.
removing causes, 23.
adoption by foreign state, 23.
residence of, 24.
acting by agent in foreign state, 24.
formed by federal authority, 25.
relation to incorporating state, 26, n.
amending its charter, 27.
result of consolidations, 28.
complying with terms upon which charter is granted, 36.
term of existence, 36.
when completely organized, 36.
particular one must be authorized, when, 37.
charter strictly construed against, 38.
power to take and convey lands, 42.
subject to police power, 44.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATION—Continued.
duration of its existence, 62.
franchise of being a, 68.
franchise of being can not be sold, 72.
franchises of subject to power of eminent domain, 74.
lien upon stock, 79.
guaranteeing bonds of another company, 86.
liability for permitting stock to be wrongfully transferred, 92.
liable for permitting trust stock to be wrongfully transferred, 94.
right to buy and sell stock, 95.
when may invest in stock of another corporation, 95.
waiving registration of stock, 98.
refusing to register transfer of stock, 98.
lien of on stock, 99.
waiving lien on stock, 101, n.
ratifying preliminary contract to take stock, 102.
waiving right to avoid subscription, 106.
can not subscribe for its own stock, 107.
subscribing for other corporate stock, 107.
selling stock for less than par value, 110.
adopting subscription taken without authority, 128.
chargeable with frauds and representations of agents, when, 128
declaring forfeiture of stock, 149.
levying execution on stock, 149, n.
effect of forfeiture of stock by, 151.
when may set aside forfeiture of stock, 154, n.
may be compelled to make registry of stock, 157, n.
right to vote as stockholders, 159.
when may acquire stock in other corporations, 159.
when single individual may form, 161.
power of stockholders to dissolve, 163.
stockholder acting as agent for, 170.
as party to creditor's bill, 182, n.
effect of refusing to bring suit, 165.
making it a defendant to a suit which it refuses to bring, 165.
may contract with stockholder, 169.
permitting stockholders to inspect books, 172.
exhausting remedy against before reaching unpaid subscriptions, 179, n.
how judgment against affects stockholders, 180.
can not enforce statutory liability against stockholders, 187.
judgment and execution against, 188.
power to make by-laws, 191.
when bound by acts of agents, 212, 213.
when bound by declarations and admissions of agents, 217.
authority of agents to act for, in emergencies, 221a.
notice to through agents and officers, 226.
what constitutes ratification by, 229.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATION—Continued.
right to require bonds of officers, 232.
when governing board is, 236.
board of directors represents, 237.
when bound by admissions and declarations of directors, 269.
directors dealing with, 276.
when president has authority to act for, 283.
when not bound by president's acts, 288.
president dealing with, 290.
authority of treasurer to bind it, 292.
when bound by superintendent's acts, 297.
to whom it should pay dividends, 306.
liability for allowing life tenant to transfer stock, 308.
when may reclaim dividends, 309.
how stock dividend affects solvency of, 320.
when not changed by consolidation, 324, n.
dissolution by consolidation, 335.
general power to contract, 340.
limit of its power to contract, 341.
person contracting with bound to know powers of, when, 344.
contracting with each other where directors are same, 348.
following prescribed mode for making contracts, 349.
power to unite with individuals in contracts, 354.
when estopped by its contracts, 352, n.
what powers it may exercise, 370, n.
injunction against to prevent making of ultra vires contract, 376.
effect of making contract against public policy, 385.
power to acquire and hold real estate, 391, 392.
effect of conveyance of real estate which it is not authorized to hold, 397.
by what officers it may execute conveyance of real estate, 414.
general power to convey real estate, 424.
trustees represent, 514, n.
may be purchaser at foreclosure sale, 521.
when not destroyed by foreclosure sale of property, 525.
constituting purchasers at foreclosure sale a, 531.
liability of that formed by purchasers at foreclosure sale, 532.
courts reorganizing, 536.
appointing receiver upon application of, 551.
may be receiver for another corporation, 561.
dissolution of not effected by appointment of receiver, 563.
right to sue suspended by appointment of receiver, 568.
liability of during receivership, 581.
liability of acts of receiver, 581.
existing without property, 601.
when it is deemed insolvent, 601.
assignments by, 602.
preferences to creditors by, 603.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATION—Continued.
loans to by directors, 604.
preferring stockholders and officers, 604.
voluntary dissolution of, 608.
dissolving in one state, 610.
qualified existence after dissolution, 612.
right to sue for and recover damages, 615.
power to sue, 615.
suing and being sued as an individual, 615, n.
actions and suits against, 617.
liability to suits similar to that of individual, 617, n.
power over litigation, 618.
power to compromise and arbitrate suits, 618.
as party defendant to suit by stockholder, 620.
venue of actions against, 623.
when existence of can not be collaterally attacked, 629.
citizen of state incorporating it, 649.
citizen of State of creation although afterwards made corporation in another State, 649.
adoption so as to make it a domestic corporation, 649.
a "person" within the constitution, 660, 709.
entitled to constitutional protection, 661.
when indictment lies against, 709.
amenable to penal statutes, 709.
methods of taxing, 738, 741.
situs for taxation of property of non-resident corporation, 743a.
duty as to returning property for taxation, 742.
foreign state levying excise tax on, 762, n.
fees for right to be are not taxes, 766.
as persons, 773.
effect of change in name on right to public aid, 853a.
taxation of those deriving rights from the United States, 778.
rule as to public aid where it is both public and private, 814.
right to take private property for public use, 953.
right of de facto corporation to condemn, 957.
condemning property of, 964.
what estate it secures by condemnation, 970.
stockholders acting as appraisers and commissioners, 1017.
right of de facto to maintain condemnation proceedings, 1025.
paying costs and expenses in appropriation cases, 1031.
when may have lien on road, 1070.
municipal corporations no inherent power to create, 1076.
collateral attack on corporate organization of interurban railway, 1096bk.
incorporation of interurban railways, 1096bf, 1096bg, 1096bh, 1096bi, 1096bj.
consolidation, leases and mortgages of interurban railways, 1096bl.
forfeiture of franchises of interurban railways, 1096bj.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CORPORATION—Continued.
existence not terminated by appointment of receiver, 1208.
interstate commerce commission is not, 1672.
when liable in exemplary damages, 1802.

CORPORATION DE JURE,
See De Facto Corporation.
evidence of existence of, 36.

CORPSES,
carriage of, 1577b.

COSTS,
exact amount need not be stated in decree, 515, n.
receiver not personally liable for, 576.
as affecting removal of causes, 651.
before state railroad commissioners, 695.
on dismissal of condemnation proceedings, 1033.
in appropriation cases, 1031.
as affecting right to grade crossings, 1122.
as an element in determining whether crossing shall be at grade, 1123.
of keeping watchmen at railway crossings, 1129.

COUNSEL,
See Attorneys.
power of president to employ, 285.
authority of receiver to employ and pay, 566.

COUNTER AFFIDAVITS,
as to necessity for a receiver, 558, n.
where writ of certiorari is asked, 1054, n.

COUNTER CLAIM,
See Set-Off.
against claim for dividends, 310.
how affects right to remove to federal court, 648.

COUNTERFEIT MONEY,
fare can not be paid in, 1603, n.

COUNTY,
naming each one through which road passes, 18, 36.
where railroad mortgage must be recorded, 494, n.
in which railroad company may be sued, 623, n., 1691, n.
assessing railroad property by, 737, n.
can not aid road outside of county, 835.
a portion of granting public aid, 846.
may grant public aid, 847.
owning and voting stock, 873.
filing map of proposed route in each county where road is, 927.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COUNTY—Continued.
assessing damages to land in two counties, 992.
in which to commence appropriation proceedings, 1014.
competency of resident of as a juror, 1017, n.
filing notice of lien in different counties, 1071.

COUNTY COMMISSIONERS,
consenting to highway crossings, 1101, n.

COUNTY SEAT,
validity of statute compelling trains to stop at, 668.
power of railroad commission to compel interstate mail trains to stop at, 682a.
mandamus to compel trains to stop at, 638.

COUPLERS,
requiring automatic, 754.
using those of unequal heights, 1296.
assuming risks of, 1296.
duty to supply safe ones, 1296.
inspection of, 1635.
duty of railroad company as to safety of, 1296a.
federal act governing, 1296b.

COUPLING CARS,
assumption of risks in, 1296,
disobeying rules in, 1314, n.
watchman doing under direction of conductor, 1342.
duty to passengers in respect to, 1589.

COUPON TICKETS,
nature of contract contained in, 1596.
effect where coupons are detached by accident, 1597.
how to detach from mileage ticket, 1600.
conductor refusing to accept detached, 1600.

COUPONS,
how unpaid affect negotiability of bonds, 484.
when days of grace allowed on, 484, n.
what form they should be in, 485, n.
right of detached to participate in mortgage security, 486.
priority among interest coupons, 487.

COURSE OF ROAD,
changing is material amendment, 45, n.

COURT COMMISSIONER,
no authority to appoint receiver, 552.

COURT OF ERROR,
appeal to in appropriation cases, 1053.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COURTS,
power to sell entire road, 27.
duty to declare forfeiture of railway charter, 50.
construing contract of subscription, 104.
may direct receiver how to vote stock, 158.
determines reasonableness of corporate by-laws, 193.
when will control corporate power to contract, 349.
power to decree sale of road in more than one state, 515.
reorganization by, 536.
discretion in appointing receivers, 540.
power of to direct application of corporate revenues, 549.
what may appoint receivers, 552.
federal courts follow state in appointment of receiver, 552, n.
recognizing receivers of other jurisdictions, 555.
first acquiring jurisdiction retains it, 553.
receiver an officer of, 561.
controlling receivers, 566.
advising receiver as to expenditures, 566.
giving receivers authority to sue, 568.
right to sue federal receiver in state courts, 573.
granting leave to sue its receivers, 572.
giving protection to receivers, 575.
duty of receivers to account to, 583.
power to remove and discharge receivers, 586.
power to authorize issuing of receivers' certificates, 589.
railroad commission is not, 675, 677.
federal rule as to service on resident agent, 621a.
railroad commission held to be, 685, n.
will not fix rates, 691.
no power to levy taxes, 736.
whether boards of assessment and equalization have judicial powers, 736a.
when may determine question of public use, 954, n.
appointing appraisers to assess benefits and damages, 1015.
notice of time of holding, 1034.
discretion as to ordering view, 1040.
approving report of commissioners, 1041.
can not be deprived of jurisdiction by contract, 1059.
looks with favor upon agreements securing railway crossings, 1117.
when due care a question for, 1163.
when contributory negligence a question for, 1163.
directing a verdict in crossing cases, 1179.
when may determine places where fences required, 1202.
determining that child is guilty of contributory negligence, 1261.
reasonableness of freight charges a question for, 1560.
when must withdraw case from the jury, 1702.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

COVENANTS,
how those in leases are enforced, 450.
how those in lease affected by dissolution, 611, n.
construing conditions as, 939.
what ones do and do not run with the land, 420, 945, 946.
distinguished from conditions, 945.
company bound by those in deeds, 945.
notice of, 945.
definition of one running with the land, 945, n.
illustrative cases of, 946.
subject to eminent domain power, 963.
to give passes, 1611.

COW-CATCHER,
contributory negligence to ride on, 1632.

CREDIT,
power to lend to another corporation, 481.

CREDITORS,
See CORPORATE CREDITOR.
distribution to by sequestrator, 78.
holders of preferred stock are not, 83.
rights of in reference to watered stock, 90.
right to compel payment of par value for stock, 90.
settling with by issuing stock at reduced value, 90, n.
asking rescission of sale of stock for overvalued property, 91.
must affirm or rescind in toto, 91.
when may attack sale of stock for less than par value, 110.
payment for stock as against, 110, n.
voting stock held as collateral, 157, n.
setting aside sale of corporate property for fraud, 169, n.
capital stock is trust fund for, 175, n.
when may enforce unpaid subscriptions, 179.
single one can not collect unpaid subscriptions for himself alone, 182.
effect where they are stockholders, 183.
when may sue single stockholder, 183, n.
compromising with stockholders, 183, n.
receiver represents, 184.
may compel receiver to collect unpaid subscriptions, 184.
maintaining action to enforce statutory liability against stockholders, 187.
priority among those of a corporation, 189.
when directors have same rights as, 276.
when have a right to claim dividends, 309.
reaching dividends paid by insolvent corporation, 315.
consent of not necessary to consolidation, 325, n.
reaching property of consolidating corporation, 334.
consolidating corporation protecting, 335.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1891–1851.]

CREDITORS—Continued.
right to object to ratification of contract, 353.
how affected by ultra vires contracts, 379.
effect of leases on rights of, 460.
when income bondholders are, 482.
when can not become parties to suit to foreclose, 511.
what property they may sell on execution, 520, n.
becoming purchasers at foreclosure sale, 521.
when may have all the rights of bona fide purchasers, 529.
right in reorganized corporation after foreclosure sale, 532.
when may follow assets after reorganization, 535.
right to purchase at foreclosure sale, 535.
receiver occupies fiduciary relation to, 537.
appointment of receiver at request of, 538, n.
equity selling road for benefit of, 539.
receiver not appointed because they are dissatisfied, 540.
appointing receiver upon application of unsecured, 548.
appointment of receiver on application of creditor at large, 548, n.
appointment of receiver upon application of secured, 549.
when may obtain priority over a receiver, 555.
when resident creditors will be protected against foreign receivers, 555.
when directors become trustees for, 557.
when qualified to act as receivers, 561.
how affected by set-off in actions by receiver, 570.
when may inspect books of receivers, 583.
equity following fund for benefit of, 600.
trust fund doctrine in favor of, 600.
corporation making voluntary assignment for benefit of, 602.
preferring by mortgages, 603.
stockholders and officers may be preferred as, 604.
right to secure dissolution of corporation, 609.
rights of on dissolution of corporation, 609, 614.
rights in railway aid bonds, 863.
attacking construction contract, 1058.
when can attach or garnish against a carrier, 1538.

CREDITOR'S BILL,
for whom and against whom it should be brought, 182.
when appropriate remedy against stockholders, 182, n.
when action in state court not bar to one in federal court, 553.

CREW,
negligence in failing to supply train with sufficient, 1257.

CRIME,
See PENAL OFFENSES.
sending claim to foreign state for garnishment is, when, 627.
when injunction will lie to prevent commission of, 631.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CRIME—Continued.
by corporations, 709.
obstructing mails, 727.
interfering with interstate commerce, 727.
placing obstructions on track, 730.
endangering passage of trains, 730.
various crimes against railroad companies, 734.
when it is to issue passes, 1612.
violating interstate commerce act, 1688.

CRIMINAL,
carrier refusing to carry, 1577.

CRIMINAL OFFENSE,
to act as corporation without authority, 15.
to employ alien laborer, 1336.

CRIMINAL PROSECUTION,
federal courts will not enjoin, when, 632, n.

CROPS,
tenant entitled to damage to under condemnation proceedings, 1003.
destroyed as a result of fire, 1247.

CROSS-EXAMINATION,
of witnesses in condemnation proceedings, 1036, 1037.

CROSSINGS,
See INJURIES AT CROSSINGS; PRIVATE CROSSINGS; HIGHWAY CROSSINGS; RAILROAD CROSSINGS.
joint contract to maintain, 354.
duty of lessee to give signals at, 471.
mandamus to compel receiver to construct, 578.
mandamus to compel construction of, 639, 698.
validity of statute compelling trains to stop at, 668.
compelling company to light, 668.
stationing flagmen at, 668.
power of railroad commissioners over, 682.
indictment for failure to repair, 718.
indictment for failure to give signals at, 718.
allowing trains to stand on, 719.
duty to stop at, 721.
requiring company to keep signs, gates or flagmen at crossings, 724.
requiring cattle-guards at, 724.
company determining methods and expediency of, 920.
when agreement to put in runs with the land, 936, n.
agreement to maintain as a condition subsequent, 941.
duty to stop, look and listen at, 1095.
mandamus to compel restoration of, 1096.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CROSSINGS—Continued.
need not to be fenced, 1193.
slacking speed of trains at, 1204, n.

CROSSINGS OF RAILROADS BY RAILROADS,
under right of eminent domain, 975, 1135.
crossing railroad by street railroad, 996a.
when may be enjoined, 1049, n., 1125.
right of one railroad to cross another, 1116.
not affected by manner in which road acquired, 1116.
crossing secured by agreement of companies, 1117.
agreement to maintain and repair, 1117.
damages for breach of contract in reference to, 1118.
enforcing agreement as to crossing, 1118.
crossings secured under statutory authority, 1119.
effort to agree, 1119.
showing necessity for crossing, 1119.
sufficiency of petition for, 1119.
location of crossing, 1119, 1120.
power of railroad commissioners, 1119.
effect of award of commissioners, 1119.
franchise must not be impaired, 1121.
crossings at grade, 1122.
crossings above or below grade, 1123.
number of crossings, 1124.
compensation for taking of property, 1126.
elements of damages, 1127.
expense of keeping crossings in repair, 1127.
expense of constructing crossing, 1128.
latest company bearing expense of constructing, 1128.
agreement to keep in repair, 1128.
companies jointly paying expense of repairs, 1128.
watchmen and flagmen at, 1129.
duty imposed by contract to stop at, 1130.
duty to stop at crossings imposed by statute, 1131.
collisions at crossings, 1132.
order and manner in which trains shall pass at, 1132.
priority of passage, 1133.
maintenance and repair of crossings, 1134.

CROWDED CARS,
passengers standing on platform, 1630, 1636.

CULVERTS,
effect of failure to provide necessary, 937.
obstruction of streams by, 1057d.

CUMULATIVE REMEDIES,
collection and enforcement of calls and assessments, 150.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

CUMULATIVE VOTING,
when permitted, 160.

CURATIVE ACTS,
when valid and when not, 843.
in reference to proceedings granting public aid, 843.
requisites of, 845.
validating void bonds, 895.

CUSTODIA LEGIS,
property in possession of receiver is in, 563, n.

CUSTODIANS,
imputing their negligence to children, 1262.

CUSTODY OF BAGGAGE,
rule where passenger retains, 1654.

CUSTOM,
duty at crossings by, 1154.
as affecting right of animals to run at large, 1180.
to give signals, effect of, 1252.
as affecting duty of inspection, 1278.
as affecting obligation of transfer companies, 1399.
as affecting delivery and acceptance, 1403.
requiring shipper to load freight, 1405.
constituting notice of delivery, 1410.
as affecting delivery, 1412.
as affecting rights, duties and liabilities of connecting carriers, 1452.
as affecting duty to furnish cars, 1474.
to send bill of lading after receipt of goods, 1502, n.
as affecting place of delivery by the carrier, 1519.
effect on manner of delivery, 1521.
effect on delivery by the carrier, 1522.
will not excuse negligence, 1522, n.
requiring notice to consignee, 1527.
as an element in determining rights and duties of carriers, 1527.
as affecting question of reasonable time, 1528.
affecting consignee's duty to pay freight, 1559, n.
determining amount of freight charges, 1560.
as affecting delivery of baggage, 1653.

CUSTOMS DUTIES,
acts of customs officers interfering with delivery of goods, 1538a.

CUTTINGS,
condemning land for, 973.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

D

DAMAGES,
See BENEFITS AND DAMAGES; COMPENSATION AND DAMAGES IN CONDEMNATION PROCEEDINGS; LIQUIDATED DAMAGES; EXEMPLARY DAMAGES; DOUBLE DAMAGES; SPECIAL DAMAGES.
to abutters on account of elevated railway, 7, 996e.
by issue of fraudulent stock, 80.
for failure to transfer stock on books, 92.
for failure to register transfer of stock, 98.
for failure to pay for stock subscribed for, 102, n.
issuing stock to pay, 110, n.
for failing to locate terminus in city voting aid, 118, n.
must result from fraudulent representations, 127.
recovery for wrongful forfeiture of stock, 154, n.
stockholder recovering for negligence or misconduct of corporation, 169, n.
unpaid subscription may be collected to pay, 175.
on tort, personal liability of stockholders, 185.
stockholder recovering because of unauthorized consolidation, 328.
when adjacent landholder's claim for superior to mortgage, 500.
liability of trustees for, 514, n.
purchaser at foreclosure sale not liable for those caused by old company, 526, n.
for being excluded from reorganization agreement, 534.
appointing receiver without notice to prevent, 556, n.
suing receiver in court of law for, 573.
receivers liable for those resulting from torts, 577.
right of corporation to sue for and recover, 615.
payment of as condition precedent to occupying street, 630.
from erection of coal chute or water-tank, 631.
where two railroads cross, 632.
amount claimed is value in dispute in removal of causes, 648, n.
right to impose double, 669.
for violating statutory duty, 712.
in addition to penalty, 714.
liquidated distinguished from penalty, 715.
for failure to give statutory signals, 721.
on account of preliminary survey, 925.
for failure to water and feed live stock, 726.
no change of location after they have been assessed, 930.
where there is change of location, 930.
effect of release of by married woman, 934.
for breach of contract in reference to right of way, 935, n.
those covered in general release of, 937.
effect of landowner's receipt for, 937.
for right of way, effect of release of, 937.
for failure to perform conditions subsequent, 942.
as remedy for breach of covenant, 945.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DAMAGES—Continued.
for negligence where road is constructed under license, 949.
for construction of road, how right to affected by acquiescence, 949.
mode of assessing under eminent domain power, 934.
for interfering with drainage, 976.
elements of for taking property, 976.
where riparian rights are interfered with, 976.
remote, sentimental or conjectural damages in condemnation proceedings, 991a.
right to consider possibility of negligent construction or operation of road, 991b.
for diverting stream, 977.
for interfering with lateral support, 977.
when benefits can not be set off against, 988.
can not be based on conjecture, 994.
compensation for additional burden on right of way, 994a.
compensation for buildings on right of way condemned, 996.
right to consider destruction of accessories in condemnation proceedings, 996.
elements of in condemnation proceedings, 996.
for property of railroad taken for other public use, 996a.
for crossing railroad by street railroad, 996a.
right of way taken for telegraph purposes, 996b.
taking railroad property for streets and highways, 996c.
compensation to abutters, 996d.
where land taken for railroad purposes is abandoned, 996f.
caused by change of route, 999.
for property taken for temporary use, 1001a.
to lessee of land taken for railroad purposes, 1003a.
apportionment of compensation, 1003b.
to occupying claimants on public lands, 1003c.
for abuse of power of eminent domain, 1031.
caused by cutting and grading, 1032.
opinions of witnesses as to, 1038.
commissioners assessing upon their own knowledge, 1039.
evidence of in condemnation proceedings, 1036.
effect of excessive award of, 1041, n.
including past, present and future in verdict, 1048.
for encroachment on adjoining property, 1049.
to land not appropriated, 1049f.
caused by construction of road, 1057.
where company causes delay in performing construction contract, 1062.
where company delays contractor, 1062.
where property does not abut on street, 1086.
where railway company fails to restore and repair street, 1092.
none for expense in complying with police regulations, 1103.
elements of where railroad crosses railroad, 1127.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DAMAGES—Continued.
for violating contract to stop at crossings, 1130.
for filling up private subway, 1140.
for failure to grant private crossing, 1141.
for obstruction of private crossing, 1141.
for failure to properly locate private crossing, 1143.
for destruction of easement, 1147.
for destruction or impairment of private crossing, 1148.
for failure to fence, 1181.
for injury to traction engine in collision, 1179c.
caused by barb wire fences, 1184.
to employe by collision with animals, 1192.
for failure to perform statutory duty, 1207, n.
demand for where animals are injured, 1216.
appraisement of where animals are injured, 1217.
measure where animals are injured, 1218.
remittitur where excessive damages are given, 1218.
awarding exemplary where animals are injured, 1218.
liability for those caused by fires, 1222.
expense of preventing further injuries as element of damages, 1220a.
double damages for failure to advertise or report fact of killing stock, 1220b.
release, for injuries to stock, 1220c.
absolute liability for from fires, 1223.
where insured property destroyed by fire, 1234.
measure of for property destroyed by fire, 1239.
for personal injuries caused by fires, 1247.
limiting in death cases, 1360.
measure of for injuries causing death, 1378.
for wrongful death, 1378a.
mitigation of, in actions for wrongful death, 1378b.
when gratuitous bailee liable for, 1389.
caused by misdescription in bill of lading, 1422.
what initial carrier liable for, 1441.
for furnishing unsuitable cars, 1448, n.
for change of route, 1449.
for refusal to carry, 1466.
as result of undue preference, 1469.
for failure to furnish cars, 1473.
caused by delay in furnishing cars, 1474.
for failure to care for goods during delay, 1486.
stipulating amount of in case of loss of freight, 1510.
when to present claim for those to freight, 1512.
for failure to receive live stock, 1547.
for failure to feed and water live stock, 1554.
for delay in shipping live stock, 1555.
for mutilation of corpse during transportation, 1577b.
setting off against freight charges, 1558.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a, *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DAMAGES—Continued.
for breach of contract to give passes, 1611.
for failure to furnish berth, 1620.
for being ejected from train, 1637.
for loss, injury or delay of baggage, 1660, 1662a.
action for for refusal to carry, 1691.
punitive or exemplary, 1693.
compensatory, 1693.
for refusal to receive or carry goods, 1707.
pleading failure to give notice of claim of, 1717.
pleading and proof where lost goods have no market value, 1728.
for breach of contract to carry, 1729.
for delay in transportation, 1482, 1730.
special damages and loss of profits for delay, 1731.
for delaying notice of arrival of goods, 1732.
speculative and remote, for breach of contract of carriage, 1733.
market value of goods at destination, how determined, 1734.
for injuries to goods or stock in transit, 1734.
hire of other animals as element of damages, 1735.
recovery where goods sell for more than valuation in bill of lading, 1736.
right of shipper to refuse to accept entire shipment where partially damaged, 1737.
for loss of goods, 1738.
for loss of commercial paper, 1739.
for loss of architect's plans, 1740.
for non-delivery of shipment, 1741.
measure, of in actions for injury to or loss of shipment, 1755.
pleading in personal injury cases, 1772.
general and special damages, 1773.
exemplary, 1774.
release by acceptance of benefits, 1775.
for personal injuries—defined, 1798.
classes of damages, 1798.
should be proximate result of negligent act, 1799.
speculative damages, 1799.
no objection that they are difficult of computation, 1799.
prospective damages, 1800.
duty of injured person to seek medical aid, 1804.
recovery where injuries enhanced by unskillful treatment, 1804.
duty to minimize, 1804.
effect of insurance, 1805.
aggravation of existing injuries, 1806.
social and financial condition of parties, 1807.
loss of time and earnings of injured person, 1808.
distinction between earnings and profits of business, 1809.
recovery of earnings and profits of business pending recovery of injured person, 1809.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DAMAGES—Continued.
right to recover earnings where wages were paid during disability, 1810.
board of injured person, 1811.
impairment of capacity to labor as element, 1812.
evidence of, 1814.
expectancy of life, 1813.
impairment of capacity of professional men, 1814.
pain and suffering as element, 1815.
mental anguish, 1816.
on account of injury to another, 1821.
fright as element, 1817.
peril as element, 1818.
disfigurement, deformity, and loss of functions, 1819.
medical treatment and nursing, 1820.
recovery for injury to another, 1822.
ejection of passengers, 1823.
interest, 1824.
whether excessive, 1825, 1826, 1827.
remittitur, 1828.
instructions on measure of, 1848.

DANGER,
track as warning of, 1153, 1157, 1163.
care must be proportioned to, 1156.
persons voluntarily going into place of, 1173.
inviting or alluring child into, 1259.
care must be proportioned to, 1273, 1590.
duty to warn employes of, 1283.
obtaining knowledge of from fellow-servant, 1283.
duty to warn children of, 1283.
remaining in service after knowledge of, 1288.
servant voluntarily going into place of, 1303.
contributory negligence in failing to guard against, 1313.
effect where carrier has knowledge of, 1584.
contributory negligence in assuming place of, 1628.
steps of car as place of, 1630, n.

DANGEROUS GOODS,
right to refuse to carry, 1466.

DANGEROUS MACHINES,
cars are not, 1260.

DANGEROUS PLACE,
ejecting trespasser at, 1255, n.
contributory negligence in riding in, 1581, n.
injury to passenger while riding in, 1632.

DANGEROUS SERVICE,
injuries to employes by, 1302.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DATE,
effect of omission in proxy, 162.

DAYS OF GRACE,
when allowed on coupons on bonds, 484, n.
when interest coupons entitled to, 487.

DEAD BODIES,
carriage of, 1577b.

DEAF PERSON,
duty at crossings, 1172.
care of street railway company as to, 1096de.
care required towards deaf persons trespassing on tracks, 1265e.

DEATH,
See INJURIES RESULTING IN DEATH.
revokes conditional subscription, 112, n.
application of wrongful death statute to interurban railways, 1096bv.
two classes of wrongful death statutes, 1361a.
aliens as beneficiaries under wrongful death statute, 1366a.
damages for wrongful death, 1378a.
mitigation of damages, 1378b.

DEBENTURES,
definition and nature of, 504.
liability for face value, 504.

DEBRIS,
damages from throwing on adjoining lands, 1057.

DEBT LIMITATION,
restriction as to county inapplicable as to city, 818, n.
constitutional limitation upon power of municipalities to incur, 820.
right of political subdivision to vote aid where part indebted to limit, 855.

DEBTS,
should be paid in preference to dividends, 81, n.
corporation taking shares of stock in payment of, 95.
lien on stock to secure, 100.
issuing stock to pay, 110.
making assessment on stock to pay, 148.
director's right to take security for his, 169.
when stockholders are severally and jointly liable for, 185.
what ones stockholders not personally liable for, 186.
when stockholders liable for as partners, 190.
power of agent to contract, 220.
when dividends become, 305, 310.
how affect right to pay dividends, 316.
consolidated company subject to what ones, 329.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DEBTS—Continued.
extent to which may be enforced against consolidated company, 334.
holding consolidated company for, 338.
when must be assumed on sale and reorganization, 526.
effect of assumption of on sale and reorganization, 526.
what ones are preferred on foreclosure sale, 528.
duty of receiver to pay, 566, n.
capital stock trust fund for payment of, 600.
corporation insolvent when unable to pay, 601.
effect of dissolution on, 611.
can not be escaped by dissolving corporation, 608.
disposition of on dissolution, 613.
constitutional limitation upon power of municipalities to incur, 820.

DECAY,
notice of tendency to, 1278.
caused by inherent nature of goods, 1481.

DECEASED SHAREHOLDER,
enforcing statutory liability against, 189.

DECLARATIONS,
See ADMISSIONS; COMPLAINT; PLEADING.
to establish relation of principal and agent, 210.
of agents, 217.
must relate to transaction or event in controversy, 219.
by directors, 269.
when superintendent's bind company, 297.
when station agent's bind company, 303.

DECREE,
on foreclosure of mortgages, 515.
what it is final as to, 515.
effect on parties without notice, 516.
by consent, 516.
deficiency, 517.
final and appealable, 518.
declaring dissolution of corporation, 607.

DEDICATION,
of land for use as a highway, 425.
irrevocable dedication for highway across tracks, how made, 425, n.
acquiring right of way by, 932.
when will not be presumed, 947.
effect of common law dedication, 947.
by properly executed plat, 947.
of land to use of railroad company, 947.
easement acquired by, 947, n.
when governed by statute, 947, n.
as affecting duty to fence, 1193.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DEED,
to corporation not in existence, 409.
accepting by parol, 412.
who executes company's, 414.
construction of those to railroad companies, 415, 416.
effect of designating purposes for which land is conveyed, 419.
merger of preliminary agreement in, 421.
effect of one from one tenant in common, 934.
effect of failure to perform conditions in, 940.
construction of right of way deeds, 934a.
effect of failure to describe route in, 934b.
title to right of way under deed, 938.
under warranty deed, 938a.
effect of failure to build railroad in compliance with deed, 940.
construction of deed obligating railroad company to establish station, 943, n.
remedy where company fails to perform conditions subsequent in, 942.
when equity will cancel, 944.
company bound by covenants in, 945.
effect of conveyance of easement by, 949.

DEEDS AND DOCUMENTS,
when are not baggage, 1647, n.

DEEDS OF TRUST,
recording, 501.
authority to execute, 501.

DE FACTO BOARD,
calls and assessments made by, 136.

DE FACTO CORPORATIONS,
what are not, 20.
special legislation affecting, 20.
validity of conveyance to, 409.
validity of mortgage by, 497.
estoppel to deny contract with, 619.
validity of subscription to, 848.
what necessary to constitute, 957.
when organization can not be questioned in condemnation proceedings, 957.
how to question rights of, 957.
exercise of right of eminent domain by, 957, 1025.

DE FACTO DIRECTORS,
illustrative cases of, 246.
two boards, 247.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DE FACTO OFFICERS,
See INJURIES RESULTING IN DEATH; DE FACTO DIRECTORS.
service of process on, 621.
validity of railway aid bonds executed by, 913.
effect on trust deed, 501.
when receiver liable for that of employe, 577, n.
indicting railroad companies for causing, 716.
revoking license, 949.
effect on condemnation proceedings, 1025.
effect on engineers' estimates, 1059.
caused by fire set by railway company, 1247.
injuries resulting in death, 1359.
during pendency of action, effect, 1375.

DEFAULT,
as ground for foreclosure of mortgage, 505.
foreclosure for in payment of interest, 507.
how affects time for bringing suit to foreclose, 514.
sale on in payment of interest on bonds, 522.
not necessary for appointment of receiver, 544.
in payment of indebtedness as ground for appointing receiver, 545.
removal of receiver on account of, 583.
liability of connecting carriers for, 1434, 1447, 1448.

DEFECTIVE CARS,
See CARS.
injury to live stock by, 1548.

DEFECTIVE CROSSINGS,
See RAILROAD CROSSINGS.
injuries at, 1176.
evidence to show notice of, 1177.

DEFECTIVE DESCRIPTION,
how may be remedied, 1029.

DEFECTIVE FENCES,
See FENCES.
notice of, 1185.
burden of proof to show knowledge of, 1185.
effect where landowner has knowledge of, 1209.

DEFECTIVE MACHINERY,
See APPLIANCES.
exhibiting to jury, 1700.

DEFECTIVE MORTGAGES,
effect of, 502.

DEFECTIVE ORGANIZATION,
waiver of, 20.
collateral attack on, 20.
effect of delay in attacking, 20.
legislature ratifying, 20.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DEFECTIVE PERSONS,
care required towards defective persons trespassing on track, 1265e.

DEFECTIVE TRACK,
effect of switchman's knowledge of, 1290.

DEFECTS,
See LATENT DEFECTS; OBVIOUS DEFECTS.
curing in corporate organization, 20.
receivers liable for injuries caused by, 577.
effect of formal in municipal aid bonds, 881.
inspecting foreign cars for, 1279.
what ones employe assumes risk of, 1288, 1311.
effect of knowledge of, 1288, n.
employe bound to use ordinary care to remedy, 1293.
continuing to work with knowledge of, 1295.
notifying employer of, 1296.
rule as to master's knowledge of, 1307.
when master chargeable with knowledge of, 1307.
effect of discovery after accident, 1308.
knowledge of on part of employe, 1311.
averring and proving lack of knowledge of, 1311.
evidence of employe's knowledge of, 1312.
duty of employes to complain of, 1345.
knowledge of as contributory negligence, 1345, n.
what are within employer's liability acts, 1347.
when existence of a question of fact, 1347.
must be proximate cause of injury, 1349.
mere existence does not show negligence, 1349.
rule where not attributable to employers' negligence, 1349.
injury to goods from those in cars, 1480.

DEFENDANT,
See PARTIES.
in mortgage foreclosure suit, 511.
right to remove causes to the federal courts, 645.
in condemnation proceedings, 1025.
when has burden of proving contributory negligence, 1163, 1313.
burden of disproving negligence in fire cases, 1245.

DEFENSE,
when stockholder may set up one for corporation, 167.
stockholders making against judgment against corporation, 180, n.
of stockholders to actions to enforce statutory liability, 186.
to foreclosure suit, 513.
to suits by receivers, 569.
which garnishee may set up, 625.
to quo warranto proceedings, 644.
statutes forbidding proof of decisions of statutes of sister states, 665.
to municipal subscriptions, 870.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DEFENSE—Continued.
to municipal aid bonds in hands of bona fide holders, 898.
to municipal aid bonds, 913.
to condemnation proceedings, 1030a, 1030b.
by municipality to railway aid bonds, 918.
collection of insurance money is not in fire cases, 1234.
carrier surrendering goods under legal process, 1537.
which carrier may plead, 1695.

DEFICIENCY,
when there is lien for after sale on foreclosure, 517.

DEFICIENCY DECREE,
when may be rendered, 517.

DEFILE,
location of road in, 922.

DEFINITIONS,
See WORDS AND PHRASES.
of railroad companies, 1.
of railroad, 3.
of railway, 3.
of railroad track, 5.
of right of way, 5.
of road-bed, 5.
of roadway, 5.
of street railway, 6.
of elevated railroads, 7.
of electric railroads, 8.
of cable railroads, 9.
of corporation, 15.
of material and immaterial amendments, 45.
of franchise, 63.
of capital stock, 76.
of watered stock, 88.
of treasurer, 292.
of dividends, 304, n.
of net profits, 316.
of stock dividends, 320.
of consolidation, 335.
of the term ultra vires, 368.
of public policy, 383.
of illegal contract, 383.
of debentures, 504.
of final decree, 518.
of receiver, 537.
of receivers' certificates, 588.
of transitory action, 623, n.
of writ of quo warranto, 644.
of separable controversy, 650.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DEFINITIONS—Continued.
of domestic commerce, 690, 1671.
of interstate commerce, 690, 1671.
of reasonable and unreasonable rates, 693, n.
of compensation, 693, n.
of license tax, 759.
of tax, 767, n., 781.
of toll, 768, n.
of local assessments, 781.
of land grants, 793.
of want of power, 884.
of condition precedent, 940.
of covenant running with the land, 945, n.
of eminent domain, 950.
of special benefits, 989.
of general benefits, 989.
of market value, 995.
of subcontractor, 1061.
of independent contractor, 1063.
of interurban railways, 1096ba.
of highway crossing, 1097.
of private crossings, 1136.
of ordinary care, 1156, 1165.
of cattle-guards, 1198.
of wing fences, 1199.
of remote fires, 1231.
of license, 1248.
of employes, 1267a.
of vice-principal, 1316, 1317.
of superior agent, 1317.
of terms connected with employers' liability acts, 1338.
of train, 1354.
of car, 1354.
of delivery, 1404.
of bills of lading, 1415.
of letters F. O. B. in bills of lading, 1425.
of connecting carriers, 1442.
of public enemies, 1458.
"in transit" and "in transitu," 1505a.
of reasonable time, 1528.
of right of stoppage in transitu, 1539.
of excessive charges, 1563.
of accident, 1584.
of fare, 1593.
of ticket, 1593.
of baggage, 1646.
of baggage checks, 1655.
of "transportation" in interstate commerce act, 1673.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DEFINITIONS—Continued.
of "railroad" in interstate commerce act, 1678.
of reasonable rates, 1684.
of unjust rates, 1684.
of commutation and mileage tickets, 1687.
of passengers, 1840.

DEFORMITY,
as element of damages, 1819.

DEGREE OF CARE,
See CARE; NEGLIGENCE.
required of carriers of passengers, 1585.
owing to person riding on pass, 1606.

DELAY,
See LACHES; UNREASONABLE DELAY.
bringing suit to prevent issue of preferred stock, 82, n.
in accepting subscriptions, 113.
waiving conditions to subscriptions, 115.
in completing road, effect on subscriptions, 120.
in objecting to forfeiture of stock, effect, 154.
effect of in bringing suit to foreclose mortgage, 505.
in bringing suit to set aside fraudulent foreclosure sale, 529.
in applying for removal of causes, 653.
as affecting right to mandamus, 874.
allowing interest on account of, 1006.
in prosecuting condemnation proceedings, 1032.
in performing construction contract, damages for, 1058.
in making engineer's estimates, 1059, n.
effect of that in construction contracts caused by the company, 1062.
in shipment, 1409.
liability for that caused by mob, 1459.
caused by garnishment, 1461.
in furnishing cars, effect of, 1474.
when carrier liable for, 1482.
as prima facie evidence of negligence, 1483.
caused by accidents and obstructions, 1484.
railroad company is not an insurer against, 1484.
care of goods during, 1486.
notice to owner of, 1487.
destruction of goods awaiting transportation by fire, 1488.
caused by act of owner, 1489.
stipulating against liability from that caused by mobs and strikes, 1513.
to secure identification of consignee, 1525.
caring for live stock during, 1555.
snowstorm excusing, 1555.
atmospheric conditions excusing, 1555.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DELAY—Continued.
carrier not insurer against, 1555.
in carriage of live stock, 1555.
what amounts to unreasonable in shipping live stock, 1555.
effect of that in unloading cars, 1567.
in carriage of baggage, 1660.
damages for delays in transportation of baggage, 1662a.
not equivalent to conversion, 1710.
pleading, 1712.
burden of proof in cases of, 1720.
evidence in cases of, 1724.
damages for, 1730.
special damages and loss of profits for, 1731.
instructions in actions for, 1744.
transportation of live stock, 1745, 1746.

DELEGATION OF AUTHORITY,
to make calls on shareholders, 135.
by directors, 224.
by board of directors, 257.
by directors, illustrative cases of, 258.

DELEGATION,
to municipality of right to authorize use of streets, 1096h.

DELEGATION OF DUTIES,
what duties may be delegated, 1276.
to promulgate rules, 1280.
in reference to time-tables, 1281.
to instruct as to dangers, 1283.

DELIVERY,
on transfer of shares of stock, 97.
of subscription, 114.
of municipal bonds, 881a.
to transfer company, effect of, 1399.
to person named in bill of lading, 1426.
by assignment of bill of lading, 1428.
connecting carrier's liability commences with, 1443.

DELIVERY AND ACCEPTANCE,
liability begins with delivery, 1403.
may be constructive or implied, 1403.
as affected by custom and usage, 1403.
illustrative cases of, 1404.
formal acceptance not necessary, 1404.
what constitutes complete delivery, 1404.
definition of, 1404.
sufficiency of evidence showing, 1404, n.
effect of delivery of warehouse receipt, 1404.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DELIVERY AND ACCEPTANCE—Continued.
effect of requirement that shipper shall load, 1405.
delivery to an authorized agent, 1406.
effect of delivery to unauthorized person, 1406, n.
delivery to unauthorized person, 1407.
delivery by agent of shipper, 1408.
delivery must be for immediate shipment, 1409.
notice of delivery, 1410.
constructive notice of delivery, 1410.
place of delivery, 1411.
delivery to connecting carrier, 1412.
evidence of delivery, 1413.
when delivery a mixed question of law and fact, 1413.
plaintiff has burden of proving delivery, 1413.
bill of lading as evidence of delivery, 1413.
to carrier passes title to consignee, 1414.
of baggage, 1653.

DELIVERY BY THE CARRIER,
See EXCUSES FOR FAILURE TO DELIVER.
generally, 1517.
liability as insurer usually terminated by, 1517.
right of assignee of bill of lading to demand, where charges unpaid, 1429.
to connecting carrier, 1442, 1443a.
when sufficiency of a question of fact, 1517.
personal delivery, 1518, 1527.
place of delivery, 1519.
effect of unqualified refusal of consignee to receive, 1519, n.
custom as affecting place of, 1519.
time of delivery, 1520.
manner of delivery, 1521.
effect of custom and usage, 1522.
delivery must be to the right person, 1523.
without production of bill of lading, 1523.
where goods are shipped "in care of" another, 1524a.
delivery to agent, 1524.
right to require identification of consignee, 1525.
misdelivery, 1526.
when demand for necessary, 1526.
duty of after carrier becomes a warehouseman, 1526.
effect of that upon forged order, 1526.
what amounts to misdelivery, generally, 1526a.
effect of delivery to swindler, 1526.
notice to consignee or his agent, 1527.
personal delivery no longer required, 1527.
reasonable time to inspect and remove, 1528.
rule where goods are to be held until called for, 1529.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851]

DELIVERY BY THE CARRIER—Continued
rule where goods are not to be delivered until paid for, 1530.
where draft is attached to bill of lading, 1530.
waiver by consignee, 1531.
carrier's right to receipt or surrender of bill of lading, 1532.
duty to store 1533.
what is sufficient to defeat right of stoppage in transitu 1543.
liability as warehouseman, 1533.
effect of part delivery 1533 n.
acts of customs officials interfering with, 1538a.
stoppage in transitu not defeated by seizure under process 1539a.
effect of stoppage in transitu. 1543a.
when complete as to live stock 1552, n.
waives lien for charges, 1572.
of baggage, 1652, 1653.
to persons having invoice, 1523, n.
conflicting rules as to notice, 1527, 1527a.
evidence in actions for nondelivery, 1726.
damages, 1741.
exemplary damages for refusal to deliver shipment, 1742
instructions in actions for failure or refusal to deliver, 1753.

DEMAND,
subscriptions payable upon, 140.
for calls and assessments, 144.
should precede suit to compel payment of dividends, 310.
necessity and effect of for dividends 311.
when necessary before suit to foreclose mortgage, 505.
on directors to defend corporation, 511, n.
when not necessary for restoration of highway, 719.
for damages where animals are injured. 1216.
must be reasonable one for cars, 1476.
for delivery of freight, when necessary, 1526.

DEMURRAGE,
See FREIGHT CHARGES.
right to charge, 200.
right to charge for use of cars, 1566.
when right to exists, 1567.
in maritime law, 1567.
charging for use of tracks, 1567.
is not an overcharge, 1567.
notice to consignee as condition precedent to right to recover, 1567.
when lien allowed for, 1567.
lien for, 1567a.
collecting through car service associations, 1568.
regulating by rules of car service association, 1568.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851]

DEMURRER,
See PLEADING.
does not reach failure to allege corporate existence, 616.
in quo warranto proceedings, 644.
raising question of defect of parties. 713.
to petition in condemnation proceedings, 1028.

DEPENDENT CONTRACTS,
connected with leases, 450.

DEPOSIT,
of condemnation money, 986.
when sufficient as a tender. 1051, n.

DEPOTS.
See STATIONS.
real estate, 31.
condemning land for, 42, 682, 960, 971, 973.
implied authority to maintain, 41.
effect of failure to establish on subscription, 120.
complying with condition as to location. 125.
duty of consolidated company to maintain depots under agreement of constituent company. 333.
contract not to locate at place needed illegal. 362.
contract to maintain at certain place, 342.
when contract relating to location of is void, 386.
validity of contracts in reference to location of, 386
right to acquire real estate for, 393.
purchaser at foreclosure sale not bound by contract for. 526 n
enjoining construction of street through, 632.
power of railroad commission to require erection and maintenance of, 682a, 694.
posting rules and schedules in, 662.
mandamus to compel maintenance of, 662.
not a nuisance, 665.
railroad commission condemning land for, 682.
crime to break into, 732.
included in term "road way" in revenue laws, 738a.
local assessments against, 785.
validity of contract as to location at particular place, 928.
public policy in regard to location of, 928, n.
location of as a condition subsequent, 941.
agreement to locate as condition subsequent, 942.
compliance with condition as to location, 943, n.
agreement to construct as a covenant, 945.
whether erection of a benefit to adjacent property, 989, n.
duty to construct, 1056.
when mechanic's lien may be acquired on, 1069.
duty to persons calling for freight at, 1256.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DEPOTS—Continued.
duty to hotel keeper at to solicit guests, 1256.
rule for determining necessity, 1479.
what are, 1479, n.
as proper place of delivery, 1519.
duty as to maintenance, 1590.
passenger has reasonable time to leave, 1592.
instructions on condition of, 1839.

DEPOT BUILDINGS,
part of railroad track, 5.
compelling construction of by mandatory injunction, 635.
street cannot be extended through, 966, n.

DEPOT FACILITIES,
condemning land for, 952.

DEPOT GROUNDS,
when lands cannot be dedicated for, 947.
duty to fence at, 1194.
when what is a question for the jury, 1194.
what constitutes, 1194.

DEPOT YARD,
what constitutes, 1194, n.

DERAILMENT,
when raises presumption of negligence, 1634.
liability of street railway company for, 1096cw.
caused by wounded animal, 1634.
when company liable for injury caused by, 1634.
instructions in actions for injuries to passengers caused by, 1842.

DESCRIPTION,
what sufficient of railway terminus, 36.
sufficiency of in title bond for conveyance of real estate, 422, n.
effect of defective in agreement to sell real estate, 935.
sufficiency of that in appropriation cases, 1022.
cured by amendment, 1022.
of property by reference to map, 1022.
amending that in petition for condemnation, 1029.
sufficiency of that in appropriation cases, 1029.
aiding that in appropriation cases by reference to maps and plats, 1029, n.
sufficiency of in report of commissioners, 1041.

DESPATCH COMPANIES,
as carriers, 1401, 1453.

DESTRUCTION OF BAGGAGE,
liability of initial carrier for, 1658.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

DETACHED COUPONS,
limitation of action on, 486.

DEVIATION FROM ROUTE,
when initial carrier liable for, 1440.
emergency may justify, 1440.
by consent of parties, 1440.
on account of strike, 1459.
effect where it is not cause of loss, 1515.
benefit of exemption lost by, 1515.

DEVISE,
of stock and dividends, 305.

DEVISEES,
right to take advantage of breach of conditions subsequent, 942.
as parties to condemnation proceedings, 1025.

DIRECTING A VERDICT,
in crossing cases, 1179.
where employe injured by a risk of the service, 1297.
where there was contributory negligence, 1313.
generally, 1702.

DIRECTIONS OF SHIPPER,
duty of obedience to, 1490.

DIRECTIONS OF TRAINMEN,
when passengers justified in obeying, 1643.

DIRECTORS,
accepting charter in jurisdiction granting, 17.
to serve first year, 19.
electing, 19.
naming in articles of association, 36.
place of residence, 36.
no power to materially amend charter, 45.
changing number under statutory authority, 46
suit to compel payment of dividends by, 83.
cannot ordinarily increase or decrease capital stock, 87.
taking stock as a bonus for services rendered, 90, n.
power to buy and sell stock, 94.
reselling stock transferred to the corporation, 95.
action by not necessary to secure lien on stock, 100.
accepting conditional subscription, 112, n.
deciding that conditions have been performed, 116.
making calls payable in installments, 134.
may make calls and assessments, 135.
act as a body in making calls and assessments, 136.
discretion of in making calls, 137.
making calls to pay debts after insolvency, 146.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DIRECTORS—Continued.
declaring forfeiture of stock, 152.
fraudulent sale to themselves, 169.
cannot deny right to inspect corporate books, 172.
when combination to elect is lawful, 174.
may be personally liable for cancelling subscription, 176.
when may release stockholder from liability, 176.
by-laws regulating number of, 191.
when may make by-laws, 194.
what officers they must elect, 208.
appointing and removing agents, 209.
delegating power to agents, 224.
appointing subordinate officers, 224, n.
different classes of officers, 234.
constitute governing board, 235.
governing board not the corporation, 236.
board of represents the corporation, 237.
principal officers of corporation, 238.
number of, 239.
how chosen, 240.
eligibility to office of, 241.
when persons not stockholders may be, 241.
ineligibility because of connection with competing lines, 242.
when court may appoint, 242.
not a disqualification that one is director in two companies, 242, n.
election of ineligible person to office of, 243.
officers de facto, 244, 247.
election of ineligible person, 245.
who may question right of ineligible persons to be, 245.
illustrative cases of de facto, 246.
two boards, 247.
holding over, 248.
failure to elect, 248.
source of powers of, 249.
general powers of, 250.
when stockholders cannot control, 250.
illustrative cases of powers of, 251.
power to pledge property and mortgage real estate, 251.
when may accept stock in other corporations, 251.
no power to make organic changes, 252, 440.
when may lease the road, 252.
extent of their authority, 253.
official action by, 255, 256.
must act together, not separately, 256.
delegation of authority by, 257.
illustrative cases of delegation of authority by, 258.
action by where law prescribes the mode of action, 259.
meetings, 260.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DIRECTORS—Continued.
special and stated meetings of, 261.
effect of failure to notify of special meeting, 262.
presumptions in favor of regularity of stated meetings of, 262.
quorum at meetings of, 263.
proxies at meetings of, 263.
meeting outside of the state, 264.
record of proceedings, 265.
corporate records as evidence, 266.
proof of the proceedings of, 267.
notice to, when notice to the company, 268.
notice to binds successors in office, 268.
admissions and declarations of, 269.
authority of one who owns majority of the stock, 269, n.
ratification of acts of, 270.
removal from office, 271.
filling vacancies in board of, 271, n.
compensation of, 272.
for what services they are entitled to compensation, 272.
may also act as other officers, 272.
their relation to the stockholders, 273.
are trustees for stockholders, 274.
when guilty of breach of trust, 274.
illustrative cases of as trustees, 275.
power to sell property to one of their number, 275.
dealings with corporation, 276.
purchasing indebtedness against the corporation, 276.
loaning money to the corporation, 276.
cannot make profits for themselves, 276, n.
termination of fiduciary relations, 277.
liability of, 278.
liability in matters of contract, 279.
errors of judgment, 280.
liability for negligence, 281.
fraud on third persons, 282.
what ones personally liable for fraud, 282.
when personally liable by statute, 282.
granting powers to the president, 286.
authorizing secretary to execute contracts, 295.
when action in declaring dividends final, 307.
declaration of dividend discretionary with, 312.
when may reclaim dividends, 315.
personal liability of in reference to dividends, 318.
must not discriminate in matter of paying dividends, 321.
personally liable for unauthorized consolidation, 328.
exercising power to contract, 347.
right of board to delegate powers to executive committee, 347.
when may authorize leases, 440.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DIRECTORS—Continued.
rule of respondeat superior applicable to, when, 440.
what acts they may perform, 440, n.
setting aside lease for fraud of, 478.
power to authorize execution of bonds, 485.
executing mortgage outside of state creating corporation, 491.
power to authorize mortgage, 491.
may be trustee in trust deed, 501.
refusing to defend corporation, 511.
purchasing at foreclosure sale, 529, 535.
right to own and enforce bonds, 529, n.
receiver where they fail to act, 547.
when proper parties to institute suit for a receiver, 551, n.
when become trustees on dissolution of corporation, 557.
when should be made parties in suit for receiver, 557.
as receivers, 561.
power to make voluntary assignment, 602.
duty to creditors on winding up the corporation, 604.
loaning money to corporation, 604.
when may be preferred as creditors, 604.
duty to account to stockholders on dissolution, 612.
right to share with other creditors on dissolution, 614.
when must consent to bringing of suits, 615.
stockholder suing when they refuse to, 620.
service of process on, casually in state, 621b.
when de facto may be restrained from acting, 634.
where personal liability of may be enforced, 710.
duty in regard to location of road, 920.
when equity will not restrain, 929.
determining necessity for condemnation proceedings, 973.
cannot take construction contract, 1058.
service of notice on, 1071.

DISAFFIRMANCE,
of release or compromise, 1377.

DISCHARGE OF RECEIVERS,
power of court in reference to, 586.
effect of, 587.

DISCOUNT,
sale of receiver's certificates at, 595.

DISCRETION,
of directors in declaring dividends, 83, n.
of board of directors in making calls, 137.
limitations upon in making calls and assessments, 138.
of directors in declaring dividends, 312.
abuse of in declaring dividends, 314.
when courts will interfere to control, 343.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DISCRETION—Continued.
of trustees and officers as to time and manner of sale, 524.
in appointment of receivers, 539, 540, 547.
of court in control of ancillary receivers, 555.
in appointing receivers without notice, 556, n.
of court in selection of a receiver, 561.
of receiver in management of business, 566.
in granting leave to sue receivers, 571.
of court in punishing for contempt, 575.
of court in compensating receivers, 584.
of court in fixing compensation of attorneys of receivers, 585.
of court in removing and discharging receivers, 586.
of railway company in taking lands, 629.
of corporate officers will not be controlled by injunction, 634.
when court has none in refusing writ of mandamus, 637, n.
mandamus will not lie to prevent exercise of, 642.
cannot be controlled by mandamus, 699, 1016.
of legislature in classifying property for taxation, 740.
when courts cannot control that of legislature, 868.
when courts cannot control that of officers, 907.
of company as to location of road, 919.
of company in determining location of road, 920.
as to change of location, 929.
of company as to location of tracks and the like, 954, n.
of company as to estate taken under condemnation proceedings, 970.
of company as to amount of land condemned, 973.
as to admitting evidence of value in appropriation cases, 1036.
of court in matters affecting competency of witnesses, 1037.
of court to order view, 1040.
when company's as to restoration of crossing will not be controlled, 1106.
as to construction of crossings, 1108.
presumption as to that of children, 1261.
in changing time-tables, 1281.
as to making rules and regulations, 1576.

DISCRETIONARY POWERS,
distinguished from peremptory duties, 907.

DISCRIMINATION,
See INTERSTATE COMMERCE.
enjoining, 27.
carrier no right to make, 200.
directors cannot make in favor of certain stockholders, 275.
in payment of dividends, 321.
by common carrier is void, 388.
in intra-state rates, 693a.
removing receiver guilty of, 586, n.
mandamus to prevent company from making, 638, 640.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DISCRIMINATION—Continued.
railroad commission cannot make, 679.
in taxation of railroad property, 744.
effect of in levying taxes, 775.
station agent without power to make discriminating contract, 1437, n.
railroad company cannot make, 1391.
in favor of express companies, 1453.
unjust is forbidden, 1467.
like facilities to be furnished where like conditions exist, 1468.
effect on stipulations limiting liability, 1469.
by charging different freight rates, 1560.
by allowing rebates, 1565.
when payment of cartage does not amount to, 1566.
by refusing to give commutation rates, 1600.
actual and not mere intention punishable, 1666.
carrier may not discriminate in favor of itself, 1662c.
by issuing passes, 1612.
what is under interstate commerce act, 1676.
injunction to prevent, 1676.
against particular place, 1676.
when not unjust, 1677.
circumstances and conditions affecting, 1677.
in interstate commerce transportation, 1678a.
illustrative cases of, 1678.
in granting use of tracks, 1678.
against hackmen, draymen, and carters, 1678, n.
mandamus as remedy against, 1678, n.
in long or short hauls, 1682.
when group rate amounts to, 1683.

DISEASE,
exposure of animals, in course of transportation, 1549b.

DISEASED CATTLE,
refusing to carry, 1547, 1669, n.

DISFIGUREMENT,
as an element of damages, 1819.

DISMISSAL,
of cause after removal to federal court, 655.
of appropriation proceedings, effect of, 1032.
of condemnation proceedings as to portion of joint owners, 1032a.
of condemnation proceedings where purpose is partly illegal, 1032a.
right of railroad to dismiss condemnation proceedings as to part of land, 1033.

DISORDERLY CONDUCT,
rule prohibiting on cars, 200.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DISORDERLY PASSENGERS,
right to eject from train, 1637.

DISORDERLY PERSON,
liability for injury to passengers by, 1639.

DISPATCH COMPANIES,
as common carriers, 1401, 1453.

DISPATCH LINE,
contract of two companies to maintain, 342.

DISSENTING BONDHOLDERS,
rights of under mortgage, 533.

DISSENTING SUBSCRIBERS,
release of on consolidation, 325.

DISSOLUTION,
See INSOLVENCY AND DISSOLUTION.
of corporation on forfeiture, effect, 55.
of corporation by limitation, 62.
effected by sale of franchises, 75.
rights of preferred stockholders on, 85.
right of stockholder on, 157.
when single stockholder may prevent, 163.
when effected by consolidation, 326, 606.
when does not take place on consolidation, 335.
disposition of property on, 426, 613.
when foreclosure sale works, 525.
appointing receiver where corporation is on verge of, 545.
as ground for appointment of receiver, 547.
appointment of receiver does not effect, 563.
right to decree in the absence of statutory authority, 609, n.
mere insolvency does not work, 601, 606.
voluntary assignment does not amount to, 602.
what constitutes, 606.
what acts are cause for, 606.
judicial determination of, 607.
voluntary, 608.
proceedings to dissolve, 609.
power of foreign courts to decree, 609.
quo warranto by state to have it declared, 609.
in case of consolidated company, 610.
effect of, 611.
corporation may have a qualified existence after, 612.
effect on pending suits, 612.
disposition of property on, 613.
rights of creditors upon, 614.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DISSOLUTION OF ATTACHMENT,
duty of carrier on, 1537.

DISTINCTION,
between charter and franchise, 64.
between corporate franchise and corporate rights, 68.
between license and franchise, 69.
between by-laws and rules and regulations, 199.
between servant and intermediate agents, 301.
between contracts ultra vires and those which are not, 373.
between donation and sale of lands to corporation, 413.

DISTRAINT FOR RENT,
seizure of property in hands of receiver for, contempt, 575.

DISTRIBUTION,
decree of foreclosure providing for, 515.

DIVERSE CITIZENSHIP,
as affecting venue of actions, 623.
must exist when suit is brought, 649.
need only appear in petition for removal, 649.
as ground for removal of causes, 649, 651.
effect of false statement of citizenship in pleading, 649.
when must exist to justify removal of causes, 649.
when need not appear in complaint, 649.
state not a citizen, 649.
as ground of jurisdiction in federal courts, 916.

DIVIDENDS,
corporate property until declared, 76.
on preferred stock before on common stock, 81.
priority of preferred stock in, 81.
money to pay cannot be raised by issue of preferred stock, 81.
declaring out of net earnings, 83.
suit to compel payment of, 83.
payment of guaranteed, 83.
discretion of directors in declaring, 83, n.
paying on common stock after paying on preferred stock, 84.
pass with assignment of stock, 84.
stock held by corporation cannot draw, 95.
lien on stock attaches to, 100.
right to vote stock issued in payment of, 157.
power of directors to declare, 224.
rights of stockholder in reference to, 304.
definition of, 304, n.
when belong to stockholders, 305.
who entitled to on sale of stock, 306.
to whom should be paid, 306.
rights of life tenant and remainderman, 307.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DIVIDENDS—Continued.
sale of share includes stock dividend, 305.
apportionment of by statute, 307.
when not property of the corporation, 309.
rights of creditors and stockholders, 309.
right to rescind, 310.
interpleader between parties claiming, 310.
are irrevocable, when, 310.
set-off or counter-claim against by corporation, 310.
when interest may be recovered on, 311.
agreement to pay certain one ultra vires, when, 310, n.
necessity and effect of demand for, 311.
declaration of discretionary with directors, 312.
borrowing money to pay, 313.
duty of stockholder to make application to directors to declare, 314, n.
remedies for abuse of discretion in declaring, 314.
equity compelling payment of, 314.
limitations upon authority to declare, 315.
suits to reclaim, 315.
should be declared out of profits, 316.
enjoining payment of, 317, 634.
personal liability of directors in reference to, 318.
payable in scrip, 319.
payment in stock, 320.
in property on reduction of capital stock, 320.
what kind of money payable in, 320.
payable without discrimination, 321.
on shares given for bonds, 483.
right of receiver to recover fraudulently declared, 569.
when stockholders may enjoin payment of, 634.
compensation for damage caused by, 993.

DOCKS,
right to acquire real estate for, 393.

DOCUMENTS,
when those referred to in prospectus must be examined by subscriber, 130, n.
as baggage, 1649a.

DOGS,
no duty to fence against, 1190.
when company liable for those killed, 1190.
refusal to carry, 1466.
right of baggage-master to carry, 1466.

"DOING BUSINESS."
bringing suit does not amount to within removal act, 30.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DOMESTIC COMMERCE,
definition of, 690.
power of states to regulate, 690, 780.
distinguished from interstate commerce, 780, n.
definition of, 1671.
regulation of railroad engaged in, 1673.
when railroads engaged in, 1673.

DOMESTIC CORPORATION,
when foreign becomes, 26.
with reference to federal jurisdiction, 28.
railroad is of state chartering, 29.
lease does not make lessee a, 29.
authority to condemn land does not make, 29.
fixing status of after consolidation, 335.
foreign corporation becomes by consolidation, 339.
foreign corporation becoming by adoption, 649.
state cannot make federal corporation one, 673.
when consolidated company regarded as, 956.
condemning land for purpose of leasing it, 958.

DOMESTIC CREDITORS,
rights over foreign receiver, 555.

DOMICILE,
of corporation, 24.
of consolidated corporation, 26.
of corporation formed by concurrent legislation, 26.

DONATION,
See PUBLIC AID; MUNICIPAL AID BONDS.
when municipalities may make to railroads, 820.
statutory authority necessary, 827.
when municipality cannot give to railroad company, 835.
public aid by, 841.
general power to make, 875.

DONATION OF LANDS,
distinguished from sale, 413.

DOUBLE AGENCIES,
are not presumed, 303.

DOUBLE DAMAGES,
power to impose, 669.
validity of statutes permitting, 714.
when not regarded as penalty, 715.
for constructing private crossing, 1145.
where animals are injured, 1183, 1219.
practice in allowing, 1219.
as a penalty, 1219.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DOUBLE DAMAGES—Continued.
conditions precedent to recovery of, 1219.
for failure to advertise or report fact of killing stock, 1220b.

DOUBLE DECK CARS,
duty to furnish for shipping sheep, 1551.

DOUBLE TAXATION,
railway companies protected against, 660.
prohibited, 744, n.
when cannot be avoided, 757, n.

DOWER,
how right of way affected by right to, 934, n.

DRAFTS,
power of treasurer to accept, 292.
effect where company accepts those of subcontractor, 1061, n.
attached to bills of lading, effect, 1427, n., 1429a, 1530.

DRAINAGE,
assessment of railroad property for drainage purposes, 788a.
damage for interfering with, 976.
railroad embankment interfering with flow of surface waters, 1057f, 1057g, 1057h.

DRAINS,
duty to cover in yards, 1272.
bridging, 788b.

DRAWBACK,
See REBATES.
effect of, 1680.

DRAW BAR,
assuming risk of insufficient, 1290.
negligence in placing too low, 1347.

DRAWING-ROOM CAR,
person riding on pass purchasing seat in, 1608, n., 1620.

DRAWING-ROOM CAR COMPANIES,
See SLEEPING CAR COMPANIES.

DRAYAGE,
See CARTAGE.
authority of receiver to pay, 566.

DRAYMEN,
discrimination against, 1678, n.

DROVER,
regarded as passenger, 1604.
riding on passes, 1605.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DROVER—Continued.
not mere gratuitous passenger, 1605.
validity of contract making him an employe, 1605.
care owing to, 1606.
guilty of contributory negligence, 1609.
injury to by low bridge, 1632, n.

DRUNKEN PERSON,
See INTOXICATED PERSON.
sale of stock by, effect, 93.

DRY SEASONS,
extra precautions against fire in, 1228.

"DUE PROCESS OF LAW,"
meaning of term, 666.
means that there must be right to a hearing, 686.
notice required, 695.
in tax proceedings, 771.
constitution requiring, 980.
what necessary to constitute, 1010.
constructive notice, 1019.
reasonable notice required, 1020.
in stock-killing cases, 1183.
whether state regulation of rates violates, 1670a.

DUMMY LINE,
is railroad, 6.
required to stop at crossings, 6, 1131.
required to keep look-outs, 6.
required to sound whistle, 6.
as commercial railway, 1131.

DUPLICATE BILLS OF LADING,
when may be issued, 1430.

DUST,
damage caused by, 995.
requiring street railway company to keep down, 1082.

DUTIES,
of promoters, 11.
of corporation defined by special charter, 16.
of officers and agents, 213.
of treasurer, 293.
of new company on consolidation, 332.
cannot be delegated to another company, 519.
extent of receiver's, 566.
no negligence unless breach of, 1251.
as affecting question of negligence, 1267.

DUTY TO DECLARE FORFEITURE,
when mandatory and when discretionary, 50.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

DUTY TO FENCE,
See ANIMALS; FENCES; DEFECTIVE FENCES; INJURIES TO ANIMALS.
rests upon receiver, 577.
common law rule, 1180.
when animals may rightfully run at large, 1180.
statutory duty to fence, 1181.
construction of statutes imposing the duty, 1181.
time when statute applies, 1181.
landowner building at company's expense, 1181.
mandamus to enforce, 1181.
damages for failure to perform, 1181.
statutes imposing rest upon police power, 1182.
constitutionality of statutes imposing, 1183.
due process of law under statutes, 1183.
kind of fence required, 1184.
agreement as to kind of fence, 1184.
bluff, embankment or hedge as fence, 1184.
what animals company must fence against, 1184.
repairs of fences, 1185.
injuries to fence by casualities and trespassers, 1185.
not discharged by mere erection of fence, 1185.
when rests on landowner, 1185.
transfer of, 1186.
does not rest on contract, 1186.
fence erected by landowner, 1187.
agreement to fence, 1188.
effect where volunteer performs, 1187, n.
third person not bound by contract to build, 1188.
measure of damages for animals injured, 1188.
when runs with the land, 1188.
waiver, 1189.
to whom duty is owing, 1190.
what animals must be fenced against, 1190.
in reference to dogs, 1190.
against animals attached to wagons, 1190, n.
as against children, 1190.
owing to public, 1191, n.
injuries to passengers resulting from neglect of, 1192.
injuries to employes resulting from neglect of, 1192.
highways and crossings allowed to remain unfenced, 1193.
at parallel highways, 1193.
between the tracks, 1193.
where highway has been vacated, 1193.
at private crossings, 1193.
at depot and station grounds, 1194.
exceptions, 1194.
where safety of employes is endangered, 1194.
when does not apply to both sides of track, 1194.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

DUTY TO FENCE—Continued.
fences in cities, towns and villages, 1195.
at margin of corporations, 1195.
fences at embankments, 1196.
fences at oblique approaches to highways, 1197.
wing fences along margin of highway, 1197.
cattle-guards, 1198.
wing fences, 1199.
gates and bars, 1199.
proof of repairs after accident, 1200.
duty to keep gates and bars closed, 1200.
place of entry of animals on railway track, 1201.
determining place where fence required, 1202.
injuries to animals on highway, 1203.
rests upon lessees, mortgagees and receivers, 1208.
rests upon partnership and individual, 1208.
contributory negligence, 1209.
animals abandoned by their owners, 1210.
animals attracted to railroad tracks, 1211.
ownership of animals, 1212.
presumption of negligence, 1213.
burden of showing excuse from, 1214.
pleading and practice, 1215.
notice and demand for damages, 1216.
appraisement of damages where animals are injured, 1217.
measure of damages where animals are injured, 1218.
liability where fence destroyed by fire, 1247.
fencing freight yard, 1260.
owing to employes, 1270.
owing to passengers, 1270.

DUTY TO STORE,
See WAREHOUSEMEN.
when exists on part of common carrier, 1533.

DWELLING-HOUSE,
what included within, 924.
when railroad cannot be located through, 924.
when cannot be condemned, 960, 969.
when may be taken under eminent domain power, 963.
when passenger must be ejected near, 1637.

DYNAMITE,
shipment on passenger trains prohibited, 725.

E

EARNINGS,
paying debts out of before dividends, 81, n.
paying dividends out of, 316.
when included under mortgage lien, 495.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EARNINGS—Continued.
what claims shall be paid out of by receiver, 528.
mortgagor not accountable to mortgagee for, when, 528, n.
diversion of as ground for appointing receiver, 545.
receiver appointed to take charge of pending foreclosure, 546.
when must be applied to payment of rentals on leased lines, 582.
when subject to attachment and garnishment, 626.
as affecting reasonableness of rates, 692.
as element of damages in personal injury cases, 1808.

EARS,
contributory negligence in traveler muffling, 1164.

EARTHQUAKE,
as an act of God, 1455, n.

EASEMENT,
acquisition of by adverse possession, 401.
right of way an easement rather than personalty, 389.
enjoining interference with company's, 632, n.
when railroad company takes only an, 938.
acquired by dedication, 947, n.
defined, 938, n.
question of in right of way by adverse possession, 951.
extent of that acquired under mere license, 949.
effect of conveyance of by deed, 949.
may be condemned, 963.
when that only acquired under power of eminent domain, 972.
when perpetual easement acquired, 972.
compensation for destruction of, 1025, n.
damages for destruction of, 1147.
included in term "real estate," 980.

EASEMENT OF ACCESS,
abutting owner has, 1085.
compensation for interference with, 1087.

EATING HOUSES,
right to build and maintain on lands acquired for right of way, 946b.
duty of carrier to provide, 1588a.

EFFORT TO AGREE,
in appropriation cases, 1027.
as jurisdictional fact in condemnation cases, 1027.
to what matters it must extend, 1027.
petition alleging unsuccessful attempt to agree, 1027.
proof of, 1027.
waiver of proof of, 1027.
must be made in good faith, 1027.
in securing railroad crossings, 1119.
as condition precedent to condemnation proceedings, 1119.
burden of proof to show failure of, 1119.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EJECTION OF PASSENGER,
where ticket has expired, 1598.
when riding on fraudulent pass, 1610.
sleeping-car company liable for, 1621.
insane passenger may be ejected, 1621.
when and when not justifiable, 1637.
tender of fare after it has commenced, 1637.
excessive and unnecessary force must not be used, 1637.
statutes fixing place of, 1637.
right to resist wrongful ejection, 1637.
liability for willful or wrongful, 1637, n.
drunken passengers, 1645a.
pleading in actions for, 1760.
evidence in actions for wrongful, 1789.
damages recoverable for wrongful, 1823.
instructions in actions for, 1830, 1837.

EJECTION OF TRESPASSERS,
right in regard to, 1255.

EJECTMENT,
right of trustees to maintain, 514.
enjoining action for, 628, n., 1049, n.
when action for may be removed to federal court, 646.
where company fails to perform conditions subsequent, 942.
injunction to restrain enforcement of judgment in, 945.
against licensee, 949.
when landowner may eject company from street, 1049.
injunction to prevent, 1049, n.
to oust company where proceedings are void, 1055.
when abutting owner may maintain, 1096.

ELECTION,
of remedy for enforcing calls and assessments, 150.
of directors, when may be temporarily postponed, 174.
combinations and conspiracies in reference to at stockholders' meeting, 174.
of officers, 208.
of ineligible person to office of director, 245.
when directors cannot postpone, 251.
to declare entire mortgage debt due, 506.
necessity of regularity in holding bond election, 823a.
form of ballot in public aid election, 823b.
on question of public aid, 828.
for public aid, rules governing, 849.
to grant railway aid, wrong officer calling, 850.
notice of in bond elections, 859a.
for public aid, notice of, 859.
mandamus to compel announcement of result of, 874, n.
to abandon condemnation proceedings, 1033.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ELECTION OF REMEDIES,
right to, 150, 1693.

ELECTRICITY,
See STREET RAILWAYS; INTERURBAN RAILWAYS.
injuries to travelers from, used in operating street railway, 1096cm.

ELECTRIC RAILROAD,
See STREET RAILWAYS; INTERURBAN RAILWAYS.
definition of, 8.
classed as street railways, 8.
right to cross bridges, 8.
negligence in running at high rate of speed, 1094.
railway company not required to maintain bridge for, 1111.
crossing railroad by viaduct, 1123, n.
not an additional burden to street, 1088.

ELECTRIC SIGNALS,
requiring company to maintain at crossings, 724.

ELEMENTS OF DAMAGE,
See DAMAGES.
necessity for making stops at railway crossings is not, 1127.

ELEMENTS OF VALUE,
in assessing damages, 994.

ELEVATED RAILROADS,
definition of, 7.
organized under general statutes, 7.
street railway companies cannot construct, 7.
usually regarded as street railways, 7.
damaging abutting owners, 7.
railway company may build short one, 42.
damages for construction, 996e.

ELEVATOR,
when not covered by general mortgage, 495.
mandamus to compel delivery of cars to, 640.
license for, on rights of way, 659, n.
condemning land for track to, 960.

EMBANKMENT,
damages for construction of, 937.
condemning land for, 973.
damages for construction, 977.
compensation for damages caused by, 993.
interfering with flow of surface waters, 1057f, 1057g.
damages from construction of, 1057.
as a part of highway crossing, 1097.
at highway crossings, 1107.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMBANKMENT—Continued.
rights of abutting owners, 1113.
compensation for erecting at railway crossing, 1127.
serving as fence, 1184.
duty to fence at, 1196.

EMBEZZLEMENT,
by railroad officers and employes, 734.

EMERGENCY,
authority of agents to act in cases of, 221a.
to employ surgeon, 222.
authority of conductor in, 302.
as affecting appointment of receiver without notice, 556.
serving notice of application for a receiver in an, 558, n.
person going on track in is not a trespasser, 1252.
effect where employe acts in, 1314.
may justify deviation from route, 1440.

EMINENT DOMAIN,
See COMPENSATION AND DAMAGES IN CONDEMNATION PROCEEDINGS; DAMAGES; CONDEMNATION PROCEEDINGS; PROCEDURE IN APPROPRIATION CASES; PETITION.
individual exercising right of, 1.
whether private railroad may exercise right of, 4, 960, n.
street railway company may exercise right of, 4.
electric roads exercising right of, 8.
franchises subject to right of, 32.
aiding construction of railroads, 33.
seizure of corporate franchises under power of, 74.
condemnation of stock of minority stockholders, 101a, 950, n.
title to land acquired by compared to that obtained by purchase, 394.
when lessee may exercise right of, 461, n.
when right of passes on foreclosure sale, 531.
when abuse of powers will be enjoined, 629, n.
authorizing condemnation of railroad property, 922.
exercising for branch and lateral roads, 923.
does not reside in company's engineer, 927, n.
cannot be used to change from route to route, 930.
single exercise does not exhaust the power, 930, 971.
right of railroad company to purchase right of way, 933, n.
acquiring right of way through power of, 932.
condition precedent to exercise of power of, 933.
definition and nature of, 950.
construction of deeds and contracts for right of way, 934a.
distinguished from power of taxation, 950.
distinguished from police power, 950.
compensation necessary where it is exercised, 950.
legislature regulating exercise of, 950.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMINENT DOMAIN—Continued.
as an attribute of sovereignty, 950.
limited and regulated by constitutions, 950.
cannot be invoked to aid private enterprise, 950.
when territory may exercise power of, 950.
power cannot be surrendered by grant or contract, 950.
limitations upon power of, 950, n.
constitutional provisions and questions, 951.
statute authorizing exercise of, 951.
when compensation must precede the taking of private property, 951.
who determines question of public use and necessity, 952.
burden of proof of necessity of condemnation, 952.
exercise of power by interurban roads, 952b.
exercise of by corporation having public and private functions, 952c.
delegating exercise of to a commission, 952.
amount of property that may be taken under, 952.
what constitutes public use and necessity, 952, 952a, 952b.
delegation of power of, 953.
corporation exercising power of, 953.
delegation of power of to railroad companies, 954.
mode of assessing damages under, 954.
exercise by terminal companies, 954.
compulsory condemnation, 954a.
whether sale of franchise carries power to condemn land, 955.
review of legislative determination, 955.
construction of statutes granting right to condemn, 955.
strict construction of statutes granting power of, 955.
rights of foreign and consolidated companies, 956.
compliance with state laws as to incorporation, 956.
exercise of right of by de facto corporations, 957.
right to condemn where road is leased or in hands of a receiver, 958.
power of regarded as a personal trust, 958.
how appointment of receiver affects power of, 958.
exercise of power by lessee, 959.
right to condemn cannot be delegated to contractor or construction company, 959.
company condemning for benefit of contractor, 959.
purposes for which company may condemn, 960.
condemnation for roads to mines and manufacturing establishments, 961.
private enterprise not entitled to benefit of, 961.
condemnation of land for branches or spurs, 961.
right to condemn for road to private enterprise denied, 961a.
exercise by reorganized company where power exhausted by predecessor, 962.
condemnation of land to straighten line, 962.
condemnation of land for future use, 962.
second appropriation, 962.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMINENT DOMAIN—Continued.
what may be appropriated under, 963.
repossession of land by condemnation proceedings, 963.
when cannot be defeated by private contract, 963.
how may affect covenants, 963.
effect of legal disabilities on, 963.
condemning property of other corporations, 964.
effect where condemnation interferes with public interests, 964.
what property of state or United States may be taken under, 965.
crossing navigable streams, 966.
condemnation of tide lands, 965a.
taking property devoted to a public use, 966.
effect of authority to build between two points, 966.
rule where two public uses can stand together, 966, 1098.
taking corporate franchises under, 967, 1098.
condemnation of lands built upon, 968a.
condemning franchises, 967.
exclusive grants and franchises, 968.
exempt property, 969.
dwelling-house and appurtenances exempt from, when, 969.
condemnation of park lands, 970.
extent of taking under, 970.
taking additional property, 971.
securing terminal facilities under power of, 971.
title or interest acquired, 972.
reversion of land on abandonment, 972a.
when only easement acquired under, 972.
width taken for right of way, 973.
taking buildings under power of, 973.
not obliged to take maximum width permitted by statute, 973.
when statutory method is exclusive, 973.
taking right of way of another road, 974.
crossing another road, 975.
condemnation of rights of way through canyons, 974, n.
condemnation of right of way for highway purposes, 975a.
condemnation of right of way for reservoir site, 975b.
condemnation of right of way for telegraph and telephone lines, 975c.
what constitutes a taking under, 976.
illustrative case of what constitutes a taking, 977.
what is a taking of private property under, 977.
property damaged or injured, constitutional and statutory provisions, 978.
damages arising from exercise of, 978.
definition of the word "property," 980.
whether abandonment of old line a benefit, 990a.
effect of entry under irregular proceedings, 998, 999.
(See McClarren v. Jefferson School Twp. (Ind.), 82 N. E. 117.
who regarded as owner of property, 1000a.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMINENT DOMAIN—Continued.
taking of property for temporary use, 1001a.
parties entitled to compensation under exercise of, 1003.
jury trial not allowable where property seized under, 1012.
proceedings in county where land is located, 1014.
apportionment of compensation, 1003b.
right of landowner to have question of right to take determined, 1013a.
parties to proceeding under, 1025.
showing right to exercise power of, 1029.
damage for abuse of power of, 1031.
defenses to condemnation proceedings, 1030b.
dismissal of proceedings where purpose partially illegal, 1032a.
conclusiveness of award of commissioners, 1045.
waiver of objections to procedure under, 1047.
injunction as remedy against abuse of, 1049.
effect where power of has been exhausted, 1049, n.
certiorari as remedy in proceedings under, 1054.
right of landowner to injunction against irregular condemnation proceedings, 1049a.
conclusiveness of confirmation of award, 1053.
whether condemnation a "proceeding" or an "action," 1053, n.
appeal in condemnation proceedings, 1053a.
whether change of tracks or use an additional servitude, 1088.
street railway not ordinarily an additional burden, 1096c.
when street railway an additional burden, 1096d.
right of street railway company to take property under, 1096f.
whether operation of interurban railways imposes additional servitude, 1096be.
collateral attack on corporate organization on condemnation proceedings, 1096bk.
exercise by interurban railways, 1096bm.
railway franchises subject to power of, 1098.
railroads crossing railroads under power of, 1116.
what railroads may invoke power of, 1116.

EMPLOYER,
See MASTER AND SERVANT.
duty to furnish safe working place, 1267, n.
negligence in failing to keep premises safe, 1272.
not liable where not guilty of negligence, 1274.
not liable for latent defects, 1275.
duty to make inspections, 1275.
is not an insurer, 1287.
duty to promulgate rules, 1294.
negligence test of liability of, 1297.
not liable unless negligence was proximate cause, 1310.
not bound to procure the best machinery, 1343.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMPLOYER AND EMPLOYE,
See MASTER AND SERVANT.

EMPLOYER'S DUTY,
contract the basis of, 1267.

EMPLOYERS' LIABILITY ACTS,
changes in law of master and servant by legislation, 1334.
application to interurban railway employes, 1096bw.
abridging right to contract, 1334.
effect on street railway companies, 1334, n.
validity of statutes, 1335.
right to plead decisions or statutes of sister states, 1336.
invalid legislation, 1336.
general rule as to construction of, 1337.
changing common law, 1337.
definitions, 1338.
effect on contract between employer and employe, 1339.
merely prescribing penalties, 1339.
railroads in different states, 1340.
railroads operated by receivers, 1341.
relation of master and servant must exist, 1342.
effect of specific enumeration, 1342.
who employe within, 1342.
effect of, on doctrine of assumption of risk, 1345.
care respecting machinery and appliances, 1343.
who are within the statute, 1344.
effect of contributory negligence, 1344.
effect on assumption of risks, 1345.
who are fellow-servants under, 1346.
what are defects in appliances and machinery within, 1347.
rule under as to latent defects, 1348.
effect on burden of proof of contributory negligence, 1349.
rule where defect not attributable to negligence of employer, 1349.
pleading under, 1349.
burden of proof under, 1349.
presumption of negligence, 1350.
selection of co-employes, 1351.
superintendence within meaning of, 1352.
what constitutes negligence in superintendence, 1353.
meaning of "cars" and "trains" within, 1354.
meaning of use and operation of railway, 1355.
injury while using hand-car, 1355.
person to whose order injured servant was bound to conform, 1356a.
"charge and control," 1356.
effect on doctrine of contributory negligence, 1357.
contract waiving right of action invalid, 1358.
recent federal act, 1358a.
construction and effect of federal act, 1358b.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMPLOYERS' LIABILITY ACTS—Continued.
reasons for holding federal act unconstitutional, 1358c.
reasons for holding federal act valid, 1358d.
recent cases holding act valid, 1358e.
conflicting decisions on question of constitutionality, 1688b.
instructions to juries in actions under, 1829.

EMPLOYER'S METHODS,
employe acquainting himself with, 1291.
duty of employe to learn, 1294.

EMPLOYES,
See INJURIES TO EMPLOYES; MASTER AND SERVANT.
duty to adopt rules for regulation of, 200.
duty to exercise care in selecting, 213.
authority to employ surgeon to attend, 222.
duty to employ surgeon for, 223, 1388.
right to erect dwellings for, 394.
liability of lessor to lessee's, 472.
receiver's contracts with, 567.
interfering with receiver guilty of contempt of court, 575.
court directing receiver to enter into contracts with, 575.
receivers liable for personal injuries to, 577.
liability of receiver for wages of, 580.
statutory preference in favor of, 605.
right to strike, 633.
when mandatory injunction binding on, 636.
statute compelling payment of discharged, 665.
companies may be compelled to examine, 668.
penalties for retaining intoxicated, 724.
legislative requirements as to qualifications of, 724, n.
may be guilty of embezzlement, 734.
land can not be condemned for dwellings of, 960.
not competent as jurors, 1017, n.
effect where company pays those of contractor, 1063.
injured in collisions at crossings, 1132.
duty to repair crossings owing to, 1134.
effect of misleading traveler at crossing, 1171.
right of traveler to rely on directions of, 1171, 1580.
when traveler should not rely on invitations of, 1171, 1580.
how to treat deaf and dumb person, 1172.
duty to drunken person, 1172.
duty to fence owing to, 1192.
assuming risks of service, 1192.
fences endangering safety, 1194.
wrongfully starting fires, 1227.
acts without scope of their duty, 1227, n.
duty to extinguish fires, 1232.
when become mere licensees, 1251.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMPLOYES—Continued.
company only liable for acts within scope of authority, 1255.
authority to eject trespassers, 1255.
presuming that person will step from the track, 1257.
not entitled to signals while making up trains, 1258.
liability to strangers for willful acts of, 1265.
liability for assault of, 1265.
torts committed without scope of employment, 1265.
assaults by without scope of their employment, 1265.
knowledge of structures near the track, 1269.
assuming risk of structures near the track, 1269.
injury to by failure to fence, 1270.
when assume risks of low bridges, 1271.
effect of their knowledge of low bridges, 1271.
knowledge of uncovered ditches and drains, 1272.
master delegating duty owing to, 1276.
duty to obey rules, 1280.
looking for wild and extra trains, 1281.
violating rules, 1282.
duty to warn them of danger, 1282.
ordered to strange working place, 1283.
presumption of competency of, 1285.
duty to use ordinary care in selection of, 1292.
duty to learn employer's rules, 1294.
duty to complain of defects in appliances, 1296.
injuries to by explosions, 1299.
injuries to by collisions, 1300.
working outside line of duty, 1303, 1304.
volunteers do not become, 1305.
contributory negligence of, 1313.
when are vice-principals, 1317.
effect of authority to hire and discharge, 1329.
giving reasons for discharge of, 1336.
who are within employers' liability acts, 1342.
liability for acts of while on strike, 1459.
when and when not passengers, 1578.
authority to accept persons as passengers, 1580.
no power to make rules and regulations, 1580.
carrier liable for negligent and tortious acts of, 1589.
when one riding on pass is a passenger, 1604.
contract attempting to make drover an employe, 1605.
issuing passes to families of, 1612.
duty of sleeping car company as to employment of, 1622.
contracting against liability for negligence, 1627, n.
liability for willful acts of, 1638.
accidentally injuring passenger, 1638.
illustrative cases of liability for assaults of, 1638.
assaulting and injuring passengers, 1638.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EMPLOYES—Continued.
company ratifying willful acts of, 1638.
are not passengers, 1644, n.
when admissions of admissible against the carrier, 1695, n.
actions for injuries to, 1697.

EMPLOYES' WAGES,
garnishment of, 627.

ENABLING ACTS,
construction of, 836.
effect of repeal of, 842.
effect of failure to conform to, 850.
illustrative cases of failure to conform to, 850
how to be construed, 852.
fixing amount of public aid, 854.
requiring notice, 859.
conforming to in issuing aid bonds, 883.
conditions imposed by must be performed, 893.
requiring registration of railway aid bonds, 908.

ENFORCEMENT,
of by-laws, 197.
of rules and regulations, 201.

ENFORCEMENT OF LIEN,
on stock, 101.
for freight charges, 1571.

ENGINE,
See LOCOMOTIVES.
personalty or realty, 31.
rules prohibiting passengers from riding on, 200.
when may be attached, 624.
presumption and burden of proof of ownership, 1777.

ENGINEER,
no authority to permit persons to ride on train, 221.
authority to employ surgeon, 222.
when conductor may employ, 302.
how acts of affect question of location, 920, n.
effect of preliminary survey by, 927.
when liable for fraud, 1059.
duty to employ competent and trustworthy, 1059.
as stockholder in company, 1059.
authority can not be extended by implication, 1059.
can not alter contract, 1059, n.
decision in matters of construction, 1059a.
right to make changes, 1060.
relying on presumption that person will step from track, 1153.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ENGINEER—Continued.
indicting for failure to give signals, 1158.
injured by collision with animals, 1192.
duty where animals discovered on track, 1204.
looking ahead for animals, 1205.
not bound to keep constant lookout, 1205.
pleading unskillfulness of, 1241.
when guilty of willfulness, 1257.
negligence in giving signals, 1264.
liability for acts of incompetent, 1290.
assumption of risks by, 1297.
remaining at post to protect trains, 1297.
competency, 1297, n.
contributory negligence of, 1297, n.
contributory negligence of, 1315a.
not fellow-servant with sleeping car porter, 1320.
as fellow-servant with other train men, 1330.
brakeman recovering for negligence of, 1344.
when superior of fireman, 1346.
can not abrogate rules and regulations, 1580.

ENGINEERS' ESTIMATES,
effect of, 1059.
consideration for, 1059.
stipulations in regard to are irrevocable, 1059.
effect of fraud in, 1059.
effect of failure to furnish, 1059.
how affected by gross error, 1059.
relieving against mistakes in, 1059.
effect where engineer is a stockholder, 1059.
right of contractor to be present when measurements are taken, 1059.
as condition precedent, 1059.
compensation where engineer refuses to furnish, 1059.
effect of death of engineer, 1059.
effect of delay in making, 1059, n.
binding on subcontractors, 1061.

ENGINE HOUSES,
right to acquire real estate for, 393.
land may be condemned for, 930.
streeet can not be opened through, 1104.

ENTERTAINMENT,
effect where party furnishes to jury, 1046.

ENTIRE ROAD,
power to sell, 27.
need not be completed before collection of subscriptions, 118, n.
enforcing lien against, 1071.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ENTIRETY,
See FRAGMENTARY PARTS.
sale of road as, 522.
assessing railroad property as, 737.

EQUALITY AND UNIFORMITY,
in taxing railroad property, 741.

EQUAL PROTECTION OF LAWS,
what is, 21, n.
railway companies entitled to, 679.
states required to give, 772.
corporations as persons, 773.
what is a denial of, 774.
classification not a denial of, 776.
whether state regulation of rates violates constitutional provision, 1670a.

EQUIPMENT,
See APPLIANCES; MACHINERY.
receivers liable for defects in, 577.
duty of railroad company as to equipment necessary to move goods tendered, 1470, n.
negligence in not adopting proper standard of, 1472.
duty of carrier as to standard of, 1472.
duty to provide for perishable property, 1475.
duty of carrier to use proper, 1478.
duty owing to passengers in respect to, 1585.
duty of passenger carrier as to, 1587.

EQUITABLE ASSETS,
appointing receiver to reach, 548.

EQUITABLE ATTACHMENT,
appointment of receiver is a sort of, 540.

EQUITABLE INTERESTS,
owners as parties to condemnation proceedings, 1025.

EQUITABLE MORTGAGE,
what amounts to, 502.

EQUITY,
compelling registry of transfer of stock, 98.
compelling payment of calls, 146.
reviewing action of majority at instance of minority, 169.
resort to reach money due from stockholders, 182.
compelling payment of dividend, 314.
under ultra vires contracts, 371.
will not permit trust to fail for want of trustee, 501.
reforming trust deed, 502.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EQUITY—Continued.
putting mortgagees in possession, 514.
selling railroad as an entirety, 522.
controlling priority in payment of claims on foreclosure sale, 528.
protecting rights under reorganization agreement, 534.
when power to appoint receivers abridged by statute, 538.
jurisdiction in to appoint receivers, 538.
caution in appointment of receivers, 539.
taking charge of affairs of insolvent railway, 543.
extra-territorial jurisdiction to appoint receivers, 554.
usually appoints receiver only where suit is pending, 560.
power to annul receiver's contracts, 567.
authorizing receivers to maintain suits, 568.
protecting its receivers, 572.
following fund for benefit of creditors, 600.
power to declare dissolution of corporation, 609.
protecting creditors and shareholders on dissolution, 613.
keeping pace with society, 633.
jurisdiction over railroad commissioners, 707.
when will not restrain directors, 929.
when will not decree specific performance, 936.
when it will interfere in case of breach of conditions subsequent, 944.
setting aside construction contracts, 1058.
will not decree specific performance of construction contracts, 1062.
will not interfere where there is remedy at law, 1096.
enforcing contract as to railway crossings, 1118.
preventing grade crossings, 1122.
enjoining construction of railway crossings, 1125.
enforcing contract to grant private crossings, 1141.
proceeding in to satisfy carrier's lien, 1571.

EQUITY OF REDEMPTION,
when cut off by valid foreclosure sale, 530.

ERRORS,
when will not defeat public aid, 871.
action to correct those in municipal aid bonds, 873, n.

ERRORS OF JUDGMENT,
See MISTAKE OF JUDGMENT.
liability of directors for, 280.

ESCHEAT,
of corporate property, 426.

ESCROW,
subscriptions in, 114.
deed to proposed corporation placed in, 409.

ESSENCE OF CONTRACT,
when time is of, 851.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ESTATE,
taken on acquisition of right of way, 938.
taken under power of eminent domain, 970.

ESTIMATES,
See ENGINEERS' ESTIMATES.

ESTOPPEL,
to question statements of certificates of stock, 79.
to question increase of capital stock, 87.
of stockholders to complain, 89.
to deny liability on shares of stock, 95, n.
to deny membership in corporation, 103.
of subscriber to set up conditions, 115.
to question fraudulent subscription, 131.
of stockholder to question validity of call, 143.
to deny validity of forfeiture of stock, 154.
of stockholders to question proceedings at meeting in which they participated, 164.
of stockholder to deny existence of corporation, 175.
to allege that corporation is partnership, 190.
by accepting benefits of contract, 227.
of corporation to dispute validity of its acts, 259.
to question statements of bill of lading, 303.
of stockholders to question consolidation, 325, n.
of consolidated company to question its acts, 337.
of directors to question validity of contract, 349.
by contracts, 352.
by ultra vires contracts, 371.
to set up defense of ultra vires, 372.
of grantor of real estate to deny corporate existence, 408.
of grantor to complain of noise, smoke, etc., 418.
of company to deny existence of street, 425.
of stockholders to question ultra vires mortgage, 493.
by participating in reorganization scheme, 534.
to deny lien of receiver's certificates, 592.
to question validity of receiver's certificates, 596.
of purchaser to question lien of receiver's certificates, 596.
to deny corporate existence, 619.
by decision of railroad commissioners, 696.
when created against government by land grants, 806.
against the state, 806.
as affecting question of public aid, 858.
to question lack of notice of railway aid election, 859.
to defend against subscriptions, 870.
of tax-payers in reference to municipal aid, 871.
by silence and acquiescence, 871.
to question bonds illegally issued, 873.
to question validity of aid bonds, 883.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ESTOPPEL—Continued.
in favor of holders of railway aid bonds, 887.
how affects validity of railway aid bonds, 890.
recitals in bonds creating, 890, n., 897, 898.
created by acts, 894, 903.
protecting bona fide holder of railway aid bonds, 896.
by recitals in bonds, 897.
illustrative cases of by recitals in bonds, 898.
when not created by recitals in bonds, 899.
recitals in bonds to constitute must be of facts, 901.
none where municipal officer has no jurisdiction, 902.
otherwise than by recitals in aid bonds, 903.
when payment of interest does not amount to, 903.
created by voting as stockholder, 903.
created by substitution of municipal aid bonds, 903.
arising from long acquiescence, 903, 1049.
by retention of stock, 904.
when must be reciprocal, 905.
to deny abandonment of location, 931.
to deny award, 933.
when does not arise under license, 949.
to claim compensation and damages, 1008.
running with the land, 1008.
by affirmative acts, 1008, n.
of landowner to question possession in condemnation cases, 1048.
of landowner to question railroad company's possession, 1049.
by accepting compensation and damages, 1049.
by acquiescence, 1049.
by acceptance of compensation and damages, 1052.
to oust company under unauthorized entry, 1055.
to enforce lien, 1075.
to object to railroad in street, 1096.
to claim private crossings, 1139.
of carrier to raise question of ownership, 1413a.
to question constitutionality of farm crossing statute, 1142.
bill of lading operating as, 1418.
of shipper by valuation given, 1510.
to question conditions in passes, 1613.

EVAPORATION,
when carrier liable for loss by, 1481.

EVIDENCE,
See ADMISSIONS; DECLARATIONS; EVIDENCE IN ACTIONS FOR PERSONAL INJURIES; PRESUMPTIONS; BURDEN OF PROOF; RES GESTAE.
to constitute one a promoter, 10.
of acceptance of special charter, 17.
of existence of corporation, 18.
articles of incorporation as, 36.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EVIDENCE—Continued.
of ownership of corporate stock, 78.
that one is a stockholder, 108.
to show that subscription is an escrow, 114.
of abandonment of contemplated route, 122.
when by-laws are against strangers, 192.
of stockholders' right to vote, 157.
when may be required as to validity of proxy, 162.
when judgment against corporation is conclusive as to stockholders, 180.
to establish relation of principal and agent, 210.
admission of declarations in, 219.
entries in corporate records, 265.
corporate records as, 266.
of consolidation, 324, 326, n.
contracts executed under seal, effect, 411.
when must be offered of corporate existence, 616, n.
as to reasonableness of rates, 688, n.
record of proceedings before railroad commissioners, 695.
on indictment for causing death, 716.
in prosecution for obstructing track, 730.
land patent for purpose of, 796.
in condemnation proceedings, 1035a.
as to value, in condemnation proceedings, 994, 1036, 1036a.
of abandonment of condemnation proceedings, 1033.
discretion as to admitting in condemnation proceedings, 1036.
tax lists and assessments as evidence of values in condemnation proceedings, 1036b.
award should be based on, 1039.
competency in condemnation proceedings, 1039.
effect where award of damages contrary to, 1040, n.
in actions against railroad by landowner for unlawful appropriation, 1049e.
violation of speed ordinance prima facie evidence of negligence. 1096ce.
of negligence, in violation of ordinance, 1095.
of negligence, breach of statutory duty, 1155.
positive better than negative, 1158.
of intoxication of flagman, 1157.
as to giving of signals, 1158.
of subsequent repairs at highway crossing, 1177.
of other accidents at crossing, 1177.
as to sufficiency of fence, 1184.
to show notice of defective crossings, 1177.
of sufficiency of cattle-guard, 1198.
of ownership by possession, 1212.
in action for injuries to animals, 1213.
where animals are killed or injured, 1214.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EVIDENCE—Continued.
ordinances as where animals are injured, 1214.
fire as prima facie evidence of negligence, 1222.
in proving value of property burned, 1239.
must follow pleading, 1241, 1609.
burden of disproving negligence in fire cases, 1242.
of setting of fires, 1243.
of compromise of fire cases, 1243.
of negligence in fire cases, 1244.
of fires set out by same or other engine, 1243a.
to rebut presumption of negligence in fire cases, 1245, 1245a.
of employer's negligence, 1309.
of knowledge of defects, 1312.
of subsequent repairs, competency, 1349.
life tables as, 1378, 1813.
in actions for wrongful death, 1378a.
sufficiency of that showing delivery, 1404, n., 1406.
of custom as affecting delivery, 1412.
of delivery, generally, 1413.
bills of lading are of receipt of goods, 1419.
bills of lading as of condition, weight or contents, 1420.
burden of proof as to negligence in transportation of live stock, 1548a.
of unreasonable delay, 1483.
of insolvency, sufficiency of, 1539.
when ticket is of contract with carrier, 1593.
ticket as conclusive evidence between conductor and passenger, 1594.
tickets as evidence of passenger's rights, 1594.
of fraud in use of pass, 1610.
what is sufficient to rebut presumption of negligence, 1635, n.
when baggage checks are competent as, 1655.
admissibility of baggage checks as, 1658.
conclusiveness of findings of interstate commerce commission, 1672a.
schedules, 1684a.
judicial knowledge, 1689h.
admissibility of train records, 1689i.
of train sheets, 1689i.
of declarations, 1689i.
of declarations of existing pain, 1689i.
general questions as to competency, relevancy and admissibility, 1689i.
best and secondary, 1689i.
of reasonableness of rates, 1684.
in actions against common carriers, 1695.
must be responsive to issues, 1695.
of repairs after accident, 1177, 1697.
when real evidence may be introduced, 1700.
of experiments, when admissible, 1700.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EVIDENCE—Continued.
effect of physical facts, 1703.
overcoming presumptions by, 1701.
mere scintilla not sufficient to carry case to jury, 1702.
demurrer to, 1702, n.
prima facie case of loss or injury, 1718.
presumptions and burden of proof of injury to live stock, 1719.
in cases of delay, 1720, 1724.
evidence that injury could have been avoided notwithstanding vis major, 1721.
bill of lading, as, 1722.
of shipper's assent to limitations in bill of lading, 1723.
loss or injury to shipment, 1725.
failure or refusal to deliver goods, 1726.
injuries to live stock, 1727.
where lost goods have no market value, 1728.

EVIDENCE IN ACTIONS FOR PERSONAL INJURIES,
See EVIDENCE.
presumptions as to existence of passenger relation, 1776.
presumption and burden of proof of ownership of road or engines, 1777.
presumptions and burden of proof in cases of street car collision, 1778.
presumptions and burden of proof as to incompetency of fellow servants, 1779.
presumptions and burden of proof as to promulgation of rules, 1780.
burden of proof where servant's injury due to disobedience of rules, 1781.
expert testimony and competency of experts, 1782.
photographs, 1783.
tickets as best and secondary evidence, 1785.
in actions for injury to passenger on carrier's premises, 1786.
in actions for injuries to passengers in boarding or alighting, 1787.
in actions for injuries to passengers in transit, 1788.
in actions for wrongful ejection of passengers, 1789.
street railway injuries to travelers, 1790.
contributory negligence of traveler injured by street car, 1791.
in actions for injuries at railroad crossings, 1792.
contributory negligence of traveler injured at crossing, 1793.
in action for injury to person away from crossing, 1794.
in actions for injuries to employes, 1795, 1796.
other omissions of duty not generally admissible, 1796.
of similar accidents, 1796.
in actions for injuries caused by low bridges and other overhanging objects, 1797.
of financial condition of defendant, 1803.
character and habits of injured person, 1807.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EVIDENCE IN ACTIONS FOR PERSONAL INJURIES—Continued.
social or financial condition of parties, 1807.
value of time lost by injured person, 1808.
life tables as, 1378, 1813.
of impairment of capacity of injured person, 1814.
of pain and suffering of injured person, 1815.
instructions on burden of proof, 1843.
instructions must be confined to, 1845.

EXCAVATION,
for right of way injuring lateral support, 1057b.

EXCEPTIONS,
when must be taken to receivers' accounts, 583, n.
must be taken to misconduct of counsel, 1704.

EXCESSIVE CHARGES,
remedy against, 1563.
what are, 1563.
rights and remedies where they are demanded, 1564.
suing for recovery of, 1564.
effect of voluntary payment of, 1564.
when protest against is necessary, 1564.
effect of interstate commerce law, 1564, n.
rule where special services are rendered, 1566.

EXCESSIVE DAMAGES,
remittitur where they are given, 1218.
in personal injury cases, 1825, 1826, 1827.

EXCESSIVE FORCE,
must not be used in ejecting passengers, 1637.

EXCESSIVE SPEED,
See SPEED.
causing injuries, 1204.
as evidence of negligence in fire cases, 1244.

EXCISE TAX,
when may be imposed on interstate railroad, 762.

EXCLUSIVE FRANCHISES,
legislature granting, 32.
amendment amounting to, 46.
subject to power of eminent domain, 968.
effect of grant of conflicting, 968.
what is grant of, 968.

EXCLUSIVE GRANTS,
subject to power of eminent domain, 968.

EXCURSION RATE,
when may be paid on train, 1603.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EXCURSION TICKET,
limiting as to day and train, 1601.
nature of contract contained in, 1601.

EXCURSION TRAIN,
authority of station agent to contract for, 303, n.
when prohibited on Sunday, 717.

EXCUSES,
for refusal to carry goods, 1466.
for failure to receive live stock, 1547.

EXCUSES FOR FAILURE TO DELIVER,
difference between cases not within the scope of duty and cases involving excuses for non-delivery, 1534.
excuses arising from acts of shipper, owner or consignee, 1535.
countermanding original shipping directions, 1536.
seizure under legal process, 1537.
attachment, 1538.
garnishment, 1538.
general doctrine as to stoppage in transitu, 1539.
who may exercise right of stoppage in transitu, 1540.
against whom the right of stoppage in transitu may be exercised, 1541.
mode of exercising right of stoppage in transitu, 1542.
termination of the right of stoppage in transitu, 1543.
interpleader between adverse claimants, 1544.
procedure on part of carrier where there are adverse claimants, 1544.

EXECUTED CONTRACTS,
effect where they were ultra vires, 372.

EXECUTION,
when corporate franchise may be sold on, 67.
stock may be sold on, 79, n.
reaching stock under, 149, n.
against corporation before resorting to stockholder's liability, 179.
against corporation, 188.
preceding enforcement of stockholders' statutory liability, 188.
when may be issued against companies constituting consolidation, 338.
assignment of bonds after levy of, 484, n.
when single bondholder can not levy, 486.
what railroad property subject to sale on, 520.
statute authorizing sale under, 520.
reaching railroad property fraudulently transferred, 535.
appointing receiver where it is not effective, 548.
when receiver's rights superior to subsequent, 563.
on property in hands of receiver, 574.
on judgment in condemnation proceedings, 1033.
injunction to secure stay of, 1049, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EXECUTION SALE,
does not transfer corporate franchise, 37, n.
what railroad property subject to, 520.
sale of property apart from franchise, 520.
not always required that sale be of railroad as entirety, 522.

EXECUTIVE AND MINISTERIAL OFFICERS AND AGENTS,
See PRESIDENT; TREASURER; SECRETARY; MANAGING AGENTS; INTERMEDIATE AGENTS; SUPERINTENDENT; CONDUCTORS; STATION AGENTS; AGENTS.

EXECUTIVE COMMITTEE,
power to perform duties of board of directors, 347.
locating road, 920.

EXECUTIVE DEPARTMENT,
may be authorized to appoint receivers, 559.

EXECUTORS,
See ADMINISTRATORS.
purchase and sale of shares of stock by, 94.
right to vote stock, 156.
when can convey land for right of way, 934.
suing for injuries causing death, 1372.

EXECUTORY CONTRACTS,
effect where they are ultra vires, 372.
to purchase real estate, when not enforceable, 407.

EXEMPLARY DAMAGES,
See PUNITIVE DAMAGES.
where animals are injured, 1218.
in cases of injuries causing death, 1378.
for ejection of passengers, 1637.
in action on tort, 1693.
for willful refusal to transport goods, 1729.
for refusal to deliver shipment, 1742.
pleading, 1774.
defined, 1798.
recoverable for gross negligence in some jurisdictions, 1801.
not recoverable for mere negligence, 1801.
as question of law or fact, 1801.
based upon motive, 1801.
liability of corporation for, 1802.
right to show financial condition of defendant, 1803.
for wrongful ejection of passenger, 1823.

EXEMPT PROPERTY,
from location of railroad, 924.
from power of eminent domain, 969.

Digitized by Google

[*Refcrences are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EXEMPTION,
See TAXATION.
of stockholders from personal liability, 186.
granted to corporate representatives, 205.
duty of garnishee to present defendant's right to, 625, 627.
when personal defense which may be waived, 625.
laws giving have no extra-territorial effect, 627.
avoiding by sending claim to foreign state, 627.

EXEMPTION FROM NEGLIGENCE,
See LIMITATION OF LIABILITY.
when carrier can not contract for, 1645.

EXEMPTION FROM TAXATION,
on consolidation, 747.
does not extend to leased lines, 747.
presumption is against, 747.
right of non-assignable, 748.
is not a franchise, 749.
of property used in operating railroad, 750.
statute creating strictly construed, 750.
as a contract, 768, 770.
when state may withdraw, 770.
property used for religious and charitable purposes, 781.
does not cover local assessments, 781, 784.

EXHIBITION,
power to donate corporate funds for, 374.

EX PARTE APPLICATION,
for appointment of receivers, 556.

EXPECTANCY OF LIFE,
See EVIDENCE IN ACTIONS FOR PERSONAL INJURIES; LIFE TABLES.
duty to consider, on question of impairment of capacity of injured person, 1813.

EXPENSES,
See COSTS.
those borne by promoters, 13.
of state officer supervising railroads, who pays, 43.
single bondholder bringing suit entitled to, 509.
as affecting appointment of receiver, 540, n.
receiver seeking advice of court as to, 566.
duty of receiver to pay, 566.
of operating road by receiver, 580.
receiver's, attorney's fees as a part of, 585.
of constructing railway crossing, 1128.
of keeping watchmen at railroad crossings, 1129.
of keeping railway crossing in repair, 1134.
of putting in private crossing, 1142.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EXPENSES—Continued.
consideration of, on question of rates, 1684c.
right of injured person to recover where paid by third person, 1810.

EXPERIMENTS,
when evidence of admissible, 1700.
when may be made before the jury, 1700.

EXPERT TESTIMONY,
admissibility and competency of witnesses, 1782.
person testifying to value of real estate need not be, 1037.

EXPIRATION OF CHARTER,
effect of, 62.

EXPLOSION,
negligence can not be inferred from, 1299
injuries to employes from, 1299.

EXPOSED POSITION,
See CONTRIBUTORY NEGLIGENCE.
effect where shipper places goods in, 1493.

EXPOSED PROPERTY,
liability where set on fire, 1228.

EX POST FACTO,
by-law is void, 193.

EXPRESS AGREEMENT,
waiving conditions to subscription, 115.

EXPRESS AUTHORITY,
See AUTHORITY.
to take railroad property, 41, n.

EXPRESS CARS,
prohibiting passengers from riding in, 200.

EXPRESS COMPANY,
railroad company conducting, 1394.
as common carrier, 1401.
as railroad carrier, 1453.
discrimination in favor of, 1453.
whether forwarders, 1401a.

EXPRESS CONTRACT,
See CONTRACTS.
excluding extra-terminal liability, 1438.
against act of God, 1456.
violence of mob does not relieve where there is, 1460.
to furnish cars, 1473.
limiting liability by, 1496.
to make personal delivery, 1518.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. I* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EXPRESS MESSENGERS,
as passengers, 1578, 1645.
passengers while riding on passes, 1604.
limiting liability for injuries to, 1645.

EXPULSION OF PASSENGER,
See EJECTION OF PASSENGERS.
when company not liable for, 1602.

EXTENDING TIME,
for completion of road, 45, n.
of street railway franchise, 1069m.

EXTORTION,
in contract limiting liability, 1500.

EXTORTIONATE CHARGES,
remedy for, 701, n.

EXTRA BAGGAGE,
authority of baggage-master to receive, 1649.

EXTRA CHARGES,
See FREIGHT CHARGES.
for what they may or may not be made, 1566.
for storing goods, 1567.
for seat in chair-car, 200, n.
for transporting perishable goods, 1566.
persons without tickets, 200.
ejection of passenger for failure to pay, 1637.

EXTRA PAY,
for building temporary track, 1060.

EXTRA-TERMINAL DEFAULTS,
actions on account of, 1441.

EXTRA-TERMINAL LIABILITY,
creating by contract, 1433, 1434, 1435.
contracts creating ultra vires, 1434.
what constitutes contract for, 1435.
when contract for may be inferred, 1435.
when may be inferred from acceptance of goods, 1435.
illustrative cases of, 1436.
authority of agents as to, 1437.
excluding by contract, 1438.

EXTRA-TERRITORIAL EFFECT,
laws do not have, 27, n.
penal statutes have no, 710.
when statutes have none, 1364.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

EXTRA-TERRITORIAL JURISDICTION,
to appoint receivers, 554.

EXTRA TRAINS,
traveler must look out for, 1166.
duty of employes to look for, 1281.
trackmen assuming risk of, 1298.

EXTRA WORK,
in construction of road, 1060.
when contractor entitled to pay for, 1060.
when engineer must consent to, 1060.

EXTRAORDINARY DANGERS,
warning employes of, 1283.
engineers do not assume, 1297.

EXTRAORDINARY DIVIDENDS,
right to as between life tenant and remainderman, 307.

EXTRAORDINARY FLOODS,
when carrier not liable for, 1584.

EXTRAORDINARY PRESS OF BUSINESS,
excusing carrier from shipping freight, 1479.

EXTRAORDINARY REMEDY,
mandamus is, 1690.

EXTRAORDINARY RISKS,
employe does not assume, 1288.
when brakemen assume, 1296.

EXTRAORDINARY STORMS,
carrier not liable for loss by, 1455.

EXTRINSIC EVIDENCE,
to uphold municipal aid bonds, 913.

F

FACILITIES FOR TRANSPORTATION,
duty to furnish, 1479.

FACT,
See QUESTIONS OF LAW; QUESTIONS OF FACT.
acceptance of charter question of, 17, n.
alleging facts upon which forfeiture of corporate franchises claimed, 55.
effect of ignorance of on contracts, 351.
recitals of constituting an estoppel, 901.
court applies law to, 1679.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FACT—Continued.
duty of court where they are undisputed, 1702.
effect of physical facts, 1703.

FACTOR,
may exercise right of stoppage in transitu, 1540.
carriers as, 1401b.

FAILURE TO CONSTRUCT,
abandonment of location by, 931.

FAILURE TO DELIVER,
live stock, liability for, 1556.

FAILURE TO RUN TRAINS,
as ground for forfeiture of charter, 49.

FALLING OBJECTS,
instructions in actions for injuries to traveler caused by, 1851.

FALSE ARREST,
when company liable for, 1265.

FALSE IMPRISONMENT,
when company may be liable for, 303, 1265.
action for against a corporation, 709, n.

FALSE PRETENSES,
to obtain property from railroad companies, 734.

FALSE REPRESENTATIONS,
See FRAUDULENT REPRESENTATIONS.
by person without authority, effect, 128.
stockholder liable for, when, 190, n.
effect of in railway aid election, 860.

FARE,
See TICKETS; EXTRA CHARGES.
exacting higher on train, 201.
dividing between connecting lines, 356.
company can not be deprived of, 691.
penalties for riding without paying, 727a.
penal offense to evade payment of, 729.
power of city to regulate street railway fares, 1096ah.
person a passenger before payment of, 1578.
definition of, 1593.
must be reasonable, 1593.
state regulation of passenger rates, 1593a.
identification of purchaser of ticket, 1599a.
power of state to regulate rate of, 1593.
interstate commerce law governing rates of, 1593.
when passenger without ticket must pay, 1594.

Digitized by Google

FARE—Continued.
paid on train, 1603.
conclusiveness of tickets, 1594a.
when excursion rate may be paid on train, 1603.
no lien on passenger for, 1603.
mistake of conductor in collecting, 1603.
giving passenger reasonable time in which to pay, 1603, n.
liability for baggage of infant traveling without paying, 1650a.
extra for riding in parlor cars, 1626a.
ejection for refusal to pay, 1610, 1637, n.
another person paying that of person about to be ejected, 1637.
tender of after conductor has commenced to expel passenger, 1637.
lien on baggage for payment of, 1662.

FARM,
how much land may be included in, 992, n.

FARM CROSSING,
See PRIVATE CROSSINGS.
purchaser at foreclosure sale not bound by parol agreement for, 526, n.
mandamus to compel construction of, 639.
police power compelling erection of, 668.
agreement to construct running with the land, 945.
considering cost of in estimating damages, 996.
when landowner entitled to, 996.

FAST FREIGHT,
extra charges for, 1566.

FAST FREIGHT COMPANIES,
as common carriers, 1401.
as railroad carriers, 1453.

FAST MAIL TRAIN,
right of state to compel to stop at county seat, 668.

FATHER,
recovering for death of minor child, 1368.

FEDERAL COMMON LAW,
what is, 1663.
effect of, 1663.

FEDERAL CONSTITUTION.
See CONSTITUTION; TAXATION AS AFFECTED BY THE FEDERAL CONSTITUTION.
regulation of interstate commerce, 689
effect on taxing power, 735.
commerce clause of, 1664
state power as limited by commerce clause of, 1665.
how commerce clause affects the police power, 1668.
imposing limitations on police power, 1668.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FEDERAL CORPORATIONS,
formed by federal authority, 25.
residence of, 25.
state can not make them domestic corporations, 673.

FEDERAL COURTS,
See REMOVAL OF CAUSES.
removing causes to, 23.
foreign corporations bringing actions in, 30.
when stockholders may maintain suit in, 166, n.
jurisdiction over consolidated corporations, 339.
decreeing sale of road in more than one state, 515.
application for receivers in, 552.
will not compel accounting by receiver of a state court, 553.
jurisdiction to appoint receiver for road in more than one state, 554.
effect of removal to on appointment of receiver, 555.
suing receivers appointed by without leave, 573.
power to dissolve corporation, 609, n.
when corporations may be sued in, 623.
jurisdiction of, 645.
what actions may be removed to, 646.
how jurisdiction of affected by amount in controversy, 648.
how jurisdiction affected by application for removal to, 654.
judge of their own jurisdiction, 654.
pleading and practice in after removal, 656.
effect of state statutes in, 702.
rule in as to application of remedies, 702.
following decisions of state courts, 768, 915, 1663.
diverse citizenship as ground of jurisdiction in, 916.
jurisdiction in reference to municipal aid bonds, 916.
when not bound by state decisions, 977.
enforcing general law as to master and servant, 1339.
removal of condemnation proceedings to, 1010a.
state can not exclude jurisdiction of, 1362.
obtaining jurisdiction by removal, 1371.

FEDERAL GOVERNMENT,
general powers of, 1664, n.
states cannot encroach upon powers of, 1670, n.

FEDERAL JURISDICTION,
See JURISDICTION; REMOVAL OF CAUSES.
as affected by consolidation, 28.

FEDERAL POWER,
over interstate commerce, 1671.
abridgement of right of navigation, 980a.
source of over interstate railroads, 1663.
over conspiracies, 1674.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FEDERAL POWER—Continued.
over trusts, 1674.
over monopolies, 1674.
over commerce and manufactures, 1674.
to suppress combinations, 1674.

FEDERAL QUESTION,
removal of causes where one is involved, 652.
illustrative cases of removal of causes on ground of, 652.
law decided by supreme court is not, 652.
suit to set aside lease does not raise, 652.
how must be made to appear, 652.
railroad commissioners removing cause on ground of, 708.

FEDERAL REGULATIONS,
effect of violation of, 725.

FEE,
See COMPENSATION; ATTORNEY'S FEES.
for consolidation, 322.
for right to be a corporation, 766.

FEE-SIMPLE TITLE,
when is not acquired, 401, 402.
railroad company acquiring, 938.
when only easement transferred by deed of, 938.
when acquired under exercise of power of eminent domain, 972.
as affecting right to compensation for use of street, 1087.

FEEDING LIVE STOCK,
duty to feed live stock being carried, 1549, 1553.
extra compensation for feeding live stock, 1566.

FELLOW-PASSENGER,
assaulting other passenger, 1638.
injuring other passengers, 1639.

FELLOW-SERVANTS,
See EMPLOYERS' LIABILITY ACTS; CO-EMPLOYES.
when conductor is of other employes, 302, n.
authority of railroad superintendents and station agents to represent railroad company, 220.
how statute in reference to affects employes of receivers, 577.
legislature prescribing who are, 668.
placing structure near the track, 1269, n.
brakemen and switchmen are, 1276, n.
when conductor is not with brakeman, 1282, n.
obtaining knowledge of danger from, 1283.
duty to employ competent ones, 1284.
burden of proof where incompetency alleged, 1286.
presumption as to care in selecting, 1286.
retention of incompetent, 1292.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FELLOW-SERVANTS—Continued.
rule where collision caused by, 1300.
origin of doctrine of, 1316.
survey of the fellow-servant rule, 1316.
rule at common law as to liability for negligence of, 1316.
test for telling who is, 1316.
vice-principal, 1317.
superiority in rank not test of vice-principal, 1317.
superior agent, 1317.
illustrative cases of vice-principals, 1318.
illustrative cases of superior agents, 1318.
true test of vice-principalship, 1318a.
vice-principal as to particular subjects, 1319.
what constitutes a common employment, 1320.
general managers, 1321.
necessity of common master, 1320.
superintendents, 1321.
train dispatcher, 1322.
master mechanic, 1323.
road masters, 1324.
train masters, 1325.
station masters, 1326.
yard master fellow-servant of yard employes, 1327a.
when trainmen are, 1326.
when inspectors are, 1326.
telegraph operators, 1328.
when foremen are, 1329.
authority to hire and discharge as vice-principal, test, 1329, n.
mere name does not determine, 1329.
trainmen operating same train, 1330.
trainmen operating different trains, 1331.
trainmen and switchmen and laborers and sectionmen, 1332.
recent federal cases, 1333.
doctrine not available to strangers, 1333b.
who are under employers' liability acts, 1346.
recent cases relating to, 1333a.
in street railway operation, 1333c.
care in selecting, 1351.
pleading, 1768.
presumptions and burden of proof as to incompetency, 1779.
admissibility of evidence of intemperance, 1796.
admissibility of evidence of reputation on question of competency, 1796.
evidence of incompetency of, 1796.
necessity of defining meaning of term in instructions, 1829.

FELONY,
to destroy railroad track, 730, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FEMALES,
statute prohibiting employment of, 1336.

FENCES,
See ANIMALS; DUTY TO FENCE.
building after company is chartered, 44.
power of general superintendent to contract for, 297.
required by deed of right of way, 416.
when covenant to build runs with the land, 420.
parol agreement to construct does not run with the land, 420.
when lessee must maintain, 461, n.
duty of lessee to build, 471.
liability of receivers for injuries to animals on account of lack of, 577.
liability of corporation for failure to maintain pending a receivership, 581.
mandamus to compel construction of, 638.
statutes imposing duty to build are valid, 668.
constitutionality of statutes requiring erection, 670b.
damages for failure to erect, 669.
power of railroad commission to compel company to construct, 682.
requiring company to maintain, 724.
enforcing agreement to erect, 936.
agreement to build running with land, 936, n.
agreement to maintain as a condition subsequent, 941.
when agreement to construct is a covenant, 945.
cost as element of damages, 996.
compensation and damages to pay for erection, 996.
company paying half of expense of erecting, 996, n.
requiring company to build by laws passed after road built, 1102.
compensation for those taken by railway crossing, 1127.
must be erected along margin of right of way, 1181.
kind required, 1184.
parties agreeing as to kind of, 1184.
bluff, embankment or hedge serving as, 1184.
enjoining erection of, 1184.
evidence as to sufficiency of, 1184.
duty to repair, 1185.
reasonable time to repair after notice of defects, 1185.
employing third person to construct, 1186.
those erected by landowner, 1187.
whether intended for protection of children, 1190, n.
what is station under fence law, 1194, n.
effect of agreement to build, 1188.
endangering safety of employes, 1194.
in cities, towns and villages, 1195.
cattle-guards as a part of, 1198.
whether streets dedicated, though not opened, should be fenced, 1193a.

Digitized by Google

FENCES—Continued.
wing fences as part of, 1199.
presumption as to place where cattle entered track, 1201.
statutes do not require fence against persons, 1184.
duty of railroad company to advertise or report fact of killing stock, 1220b.
duty owing to passengers, 1586, n.

FENDERS,
power of city to compel street cars to be equipped with, 1096ag.
not required on trailers, 1315g.

FERMENTATION,
when carrier liable for loss by, 1481.

FERRY,
franchise to, 32, n.

FICTITIOUS NAME,
consignee ordering goods in, effect, 1526.
effect of delivery to person who uses, 1535.

FICTITIOUS PERSON,
issuance of bills of lading to, 1419.
effect of delivery by carrier to, 1526.

FICTITIOUS STOCK,
issue of as ground for forfeiture, 49.
when not void, 89.

FICTITIOUS SUBSCRIPTIONS,
when disregarded, 111, n.

FIDUCIARIES,
purchase and sale of stock by, 94.

FIDUCIARY RELATION,
termination of between directors and corporation, 277.
of president to stockholders, 291.
treasurer occupies to corporation, 293.

FINAL DECREE,
on foreclosure of mortgages, 518.
as to part of the parties, 518.

FINE,
See PENALTIES.
assessing against person interfering with receiver, 575.
power of legislature to provide for, 709.

FIRE-ARMS,
as baggage, 1647.

FIRE BREAKS,
landowner not bound to put out, 1238.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FIREMAN,
not bound to keep constant lookout, 1205.
pleading unskillfulness of, 1241.
ejecting trespassers, 1255.
risk from running engine, 1296.
contributory negligence of, 1315a.
assumption of risks by, 1297.
as fellow-servant of other trainmen, 1330.
when engineer superior of, 1346.
can not abrogate rules and regulations, 1580.

FIRES SET BY RAILWAY COMPANIES,
imposing liability for, police regulation, 44.
liability of lessee for, 471.
action for damages by is local action, 623, n.
companies may lawfully use fire, 718.
destroying property to prevent spread of, 950.
damage from increased danger of, 996.
compensation for additional exposure to, 1127.
authorized use of fire, 1221.
when company not liable for, 1221.
negligence as gist of action, 1221.
effect of commingling, 1221.
statutory liability, 1222.
burden of proof fixed by statute, 1222.
absolute liability for, 1222.
injury to personal propery by, 1222.
constitutionality of statutes imposing absolute liability, 1223.
insurable interest where there is absolute liability, 1223.
equipment of engines, 1224.
spark arresters, 1224.
ash-pans, 1224.
fuel used in locomotives, 1224.
adopting most improved locomotives, 1224.
liability for accidental escape of, 1224.
management of engines, 1225.
caught from burning car, 1225.
duty to clear right of way of combustibles, 1226.
those set to burn off right of way, 1227.
liability where fire escapes by pure accident, 1227.
set by employes without scope of duty, 1227.
extra precautions in dry seasons, 1228.
where wind is blowing, 1228.
liability where property is exposed, 1228.
those started on the right of way, 1229.
started off the right of way, 1230.
liability for remote fires, 1231.
effect where independent agency intervenes, 1231.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

FIRES SET BY RAILWAY COMPANIES—Continued.
when wind is independent agency, 1231.
distance to which they spread immaterial, 1231.
jury determining question of proximate cause, 1231.
effect of agreement with landowner to let them burn, 1231.
train crew need not stop train to extinguish, 1232, n.
duty to extinguish, 1232.
no duty to patrol track to watch for, 1232.
ownership of property burned, 1233.
lessee recovering for loss by, 1233.
destroying leased property, 1233.
subrogation where insured property destroyed, 1233.
insurance company as real party in interest, 1234.
effect where property burned is insured, 1234.
property on right of way, 1235.
contributory negligence in exposing property to, 1235, n.
contracts limiting liability, 1236.
liability where road operated under lease, 1237.
contributory negligence of owner, 1238.
property owner not required to watch for, 1238.
submitting question of contributory negligence to jury, 1238.
burning property awaiting shipment, 1238.
duty of property-owner after discovery of, 1238.
measure of damages for property destroyed by fire, 1239.
value of real estate before and after, 1239.
evidence to prove value of property burned, 1239.
cost of replacing property not correct measure of damages, 1239, n.
common law liability, 1221.
pleading, 1240.
parties, 1240.
pleading, sufficiency of complaint, 1241.
burden of proof, 1242, 1243.
presumption of negligence, 1242.
proof that company set out fire, 1243.
burden on plaintiff to prove setting of, 1243.
circumstantial evidence of setting, 1243.
nonsuit in cases of, 1243.
admissibility of proof of other fires, 1243.
evidence of compromise not admissible, 1243.
evidence of fires set by same or other engine, 1243a.
proof that company negligently set fire, 1244.
proof that locomotive frequently set out fires, 1244.
springing up just after trains pass, 1244.
evidence to rebut presumption of negligence, 1245a.
instructions to juries, 1245b.
evidence to rebut presumption of negligence, 1245.
attorney's fees in cases of, 1246.
personal and other injuries caused by, 1247.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FIRES SET BY RAILWAY COMPANIES—Continued.
set out by persons using cars by permission, 1247a.
set out on railroad lines let to other persons, 1247b.
liability where railroad is operated by purchaser at foreclosure, 1247c.
liability for freight lost by, 1405.
destroying freight awaiting shipment, 1411, 1488.
destroying goods in warehouse, liability, 1462.
validity of stipulation exempting carrier from loss by, 1508.

FIRST MORTGAGE BONDS,
priority over second mortgage bonds, 500.

FISHING TACKLE,
as baggage, 1646, n,, 1647.

FIXTURES,
real estate, 31.
when covered by mortgage, 495, 498.
when rails are not regarded as, 998.

FLAGMEN,
compelling company to station at crossings, 668.
right of state to require at crossings, 662.
power of railroad commission to require, 682.
requiring company to keep at crossings, 724.
paying expense of keeping at railway crossings, 1129.
at crossing of steam and electric railroads, 1096ck.
at railway crossings, generally, 1129.
effect of failure to heed signals of, 1157.
liability for negligence of, 1157.
effect of intoxication of, 1157.
effect of invitation or direction by, 1157.
effect of sudden discontinuance of, 1157.
effect of signal by to traveler, 1166.
negligence in failing to heed, 1171.
railroad commissioners requiring at crossings, 1157.
when required at crossings, 1157.
rule where they do not see traveler, 1171, n.
effect of absence at crossing, 1171, n.
showing absence of without alleging it in complaint, 1157, n.
duty to place not owing to employes, 1310.
relation to company, 1328.

FLOATING DEBT,
power of directors to liquidate, 83.

FLOODS,
See ACT OF GOD.
damages for causing, 977.
as act of God, 1455.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FLOODS—Continued.
duty to provide against, 1584.
when carrier excused from loss by, 1660.

FLYING SWITCHES,
statute to prevent, 668.
when negligence per se, 1162.
personal injuries caused by, 1265g.
contributory negligence of employe in making, 1315f.

"F. O. B.,"
meaning of, 1425.

FORECLOSURE,
See FORECLOSURE SUIT.
of mortgage on consolidated road, 27.
of lien on stock, 101, n.
sale by receiver pending, 523.
when decree nisi may be rendered, 530.
safest way to prepare for reorganization, 533.
of mechanic's lien, 1074.

FORECLOSURE OF MORTGAGE,
because of default, 505.
option to declare whole debt due, 506.
when bringing suit amounts to election to declare whole debt due, 506.
for default in payment of interest, 507.
right of bondholders to foreclose where no trustee is left, 509, n.
parties to, 508.
bondholders as plaintiffs, 509.
pledgees, assignees and others as plaintiffs, 510.
defendants in suits for, 511.
when lienholders should be made defendants, 512.
defenses to, 513.
effect of provisions giving trustees the right to take possession and sell, 514.
the decree, 515
consent decree, 516.
deficiency decree, 517.
final and appealable decrees, 518.

FORECLOSURE SALE,
transfer of property and franchises under, 490.
who may be purchaser at, 521.
corporation purchaser at, 521.
when franchise of being a corporation does not pass by, 525.
effect of, 525.
title acquired by purchaser at, 525.
when purchaser takes free from liabilities and liens, 526.
statutory liens operative after, 526.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FORECLOSURE SALE—Continued.
duty of purchaser to see that proceeds are properly applied, 527a.
disposition of proceeds of sale, 527a.
disposition of proceeds acquired from, 527.
right to set aside for fraud, 529.
legislature can not validate a fraudulent one, 529.
redemption from, 530.
constituting purchasers at a corporation, 531.
liability of new corporation formed by purchasers, 532.
when fraudulent against creditors, 535.
payment of receiver's certificates on, 597.

FORECLOSURE SUIT,
effect of contract of stockholders to withdraw opposition to, 527.
application of proceeds pending, 528.
appointing receiver in, 546.
when pending does not prevent appointment of receiver, 553.

FOREIGN ADMINISTRATORS,
when may sue for injuries causing death, 1372.

FOREIGN ASSIGNMENTS,
when will not be enforced, 599. n.

FOREIGN ATTACHMENT,
removal of to federal courts, 646.

FOREIGN BUSINESS,
corporation doing, 22.

FOREIGN CARS,
duty to inspect, 1279.
obvious and latent defects, 1279.
rule where there is no time to inspect, 1279.

FOREIGN CORPORATIONS,
authority and rights of, 26.
considered with reference to federal jurisdiction, 28.
operating under license, 29.
operating under lease, 29.
power of to condemn, 29.
condition of admission to state, 30.
acquiring domestic charter, 30.
becoming domestic corporation, 30.
bringing suit in federal court, 30.
appointing receiver for property of, 30.
liability of stockholder in, 150, n.
consolidation with, 339.
right to hold real estate, 398.
lease of property of, 444.
right of domestic company to lease, 444.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FOREIGN CORPORATIONS—Continued.
who may assail its right to hold lands, 398.
purchaser at foreclosure sale, 521, n.
when proof of due incorporation required, 617, n.
service of process upon, 621.
when required to keep agents in state where it does business, 621.
when may be sued in federal court, 623.
may be subject to garnishment, 624.
when may be garnished for debt of non-resident employe, 627.
quo warranto to try its right to do business, 644.
what does not make it a domestic corporation, 649.
state can not deprive it of the right of removal, 649.
state levying excise tax on, 762, n.
right to exercise power of eminent domain, 956.
right to lien for material furnished, 1070.
power to condemn land as dependent on compliance with local corporation laws, 956.

FOREIGN COUNTRY,
directors' meeting held in, 264.

FOREIGN COURT,
relief in on stockholder's liability, 189

FOREIGN JURISDICTION,
corporate meetings in, 24, n., 264.
right of receiver to sue in, 570.

FOREIGN LESSEES,
rights of, 445.

FOREIGN RAILROADS,
acquisition of right of way, 933, n.

FOREIGN RECEIVER,
See RECEIVERS.
creditor obtaining priority over, 555.
rights of similar to those of non-resident attaching creditor, 555.
rights and powers of, 555.
right to bring suits against, 571, n.

FOREIGN SHIPMENTS,
statutes prohibiting limitation of liability not applicable to, 1499.

FOREIGN STATE,
enforcing personal liability of directors in, 710.
will not enforce penal laws, 1365.
enforcing statutes of other states, 1366.

FOREIGN STATUTES,
pleading in actions for death, 1364.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FOREMAN,
when agent and when servant, 300.
when a fellow-servant, 1329.
when a vice-principal, 1329.
as fellow-servant, 1333.
when regarded as a superintendent, 1352.
as person in "charge or control," 1356.

FORFEITURE,
what is not ground for, 51.
because of issue of watered stock, 88.
as remedy for failing to pay calls and assessments, 149.
when may be pursued as a remedy, 149.
right to can not be created by by-law, 149, n.
how stock is valued on, 150.
effect of decision of railroad commissioners against, 696.
defense to action for, 696.
of land grants, 800, 801.
of land grants, legislative declaration of, 802.
not favored in law, 939.
breach of condition subsequent working, 940, n.
for failure to perform conditions subsequent, 942.
where there has been only colorable compliance with conditions, 943.
of right of way by failure to construct road, 942.
none where damages can be given, 945.
when can not be enforced in construction contracts, 1062.
fixed in construction contract, 1062.
of ticket, 1599, n.

FORFEITURE OF CHARTER,
when takes effect without judicial determination, 47.
causes for, 47, 48.
corporate franchise subject to, 48.
suit for must be by public or its representatives, 48.
time to bring suit for, 48, n.
future neglect not ground for, 48, n.
grounds for, 49.
of charter rights by illegal leases, 49, n.
illustrative cases, 49.
when duty to declare is mandatory, 50.
when duty to declare is discretionary, 50.
how affected by public interests, 50.
what is not cause for, 51.
waiver of, 52.
effect of sale of corporate property on, 51, n.
must be judicially declared, 52.
charter can not be revived after, 52.
parties, 53.
procedure in, 53.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FORFEITURE OF CHARTER—Continued.
where proceedings for must be brought, 54, 55.
can not be declared in collateral proceedings, 55.
repeal taking place of, 57.
for attempted transfer of road, 519.

FORFEITURE OF STOCK,
remedies in addition to, 150.
what amounts to, 150.
effect of, 151.
disposition of surplus arising from sale, 151.
rights of stockholder after, 151.
effect of fraud in declaring, 151.
statutory method must be pursued, 152.
injunction against, 152.
notice of, 153.
defeating and annulling, 154.
estoppel to deny validity, 154.
mandamus will not lie to compel corporation to annul, 154, n.
when by-law may provide for, 197.
formalities must be complied with in, 259.
when stockholder may enjoin, 634.

FORGED ORDER,
delivery of baggage on, 1653.

FORGERY,
of transfer of stock, 80, n.
of railroad ticket, 734.

FORM,
of subscriptions to stock, 103.

FORM OF ACTION,
against common carriers, 1693.

FORMAL ACCEPTANCE,
not necessary, 1404.

FORMAL DEFECTS,
effect of in contracts, 346.
effect of in municipal aid bonds, 881.

FORMALITIES,
necessary to transfer of stock, 97.
necessary in forfeiture of stock, 152.
of enactment of by-laws, 195.
required in action by directors, 259.

FORUM,
designating in which to sue for injuries causing death, 1362.
law of governs remedy, 1365.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FORWARDERS,
distinguished from carriers, 1401a.

FORWARDING AGENT,
when initial carrier is, 1432.
initial carrier acting as, 1437, 1451.

FORWARDING LINES,
when carrier may select, 1423.

FOURTEENTH AMENDMENT,
See CONSTITUTION.
unequal taxation under, effect, 774, 775.

FOWLS,
care as to packing for shipment, 1548c.

FRAGMENTARY PARTS,
See ENTIRE ROAD.
railroad can not be sold in, 520, 1074.

FRANCHISES,
See CORPORATE FRANCHISES; STREET RAILWAYS; INTERURBAN RAILWAYS.
state granting, 32.
legislature granting exclusive, 32.
turnpikes, 32, n.
bridges, 32, n.
canals, 32, n.
ferries, 32, n.
subject to right of eminent domain, 32, 74, 922, 967.
not to be impaired, 32, n.
what amounts to exercise of corporate, 36.
effect of sale of corporate property on, 37, n., 51, n.
regrant of after forfeiture, 47.
abuse of as ground for forfeiture, 48.
questioning use of in quo warranto proceedings, 53, 644.
charging and pleading misuse of, 55, n.
definition, 63.
charter and franchise distinguished, 64.
whether use of street is franchise, 65.
grant of corporate, 65.
are not licenses, 65, 69.
consideration for grant of, 66.
when become effective, 66.
nature of considered, 67.
when may and when may not be sold, 67, 519.
of being a corporation, 68.
of being corporation distinguished from corporate rights, 68.
difference between and license, 69.
sale of corporate property essential to exercise of, 70.
effect of attempt to sell, 71.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FRANCHISES—Continued.
when pass on sale of property, 71.
judicial sale of, 72.
sequestration, 73.
seizure of under power of eminent domain, 74, 922, 967.
dissolution effected by sale of, 75.
to street railroads to use street beyond life of charter, 75.
lien of preferred stock on, 86, n.
duration of franchises of consolidated company, 335a.
passing to consolidated company, 329.
general authority to mortgage, 490.
purchase of by another corporation, 519.
of being corporation, effect of foreclosure sale on, 525.
execution sale of property apart from, 520.
which pass on foreclosure sale, 531.
appointing receiver to prevent abuse of, 547, n.
die on dissolution of corporation, 613.
forfeiture of, for making unlawful charges, 644.
mandamus to compel company to exercise, 638.
quo warranto for usurpation of, 644.
taxation of, 738.
value of for purposes of taxation, 738, n.
power of state to tax franchises granted by sister state, 757.
immunity from taxation is not, 749.
condemnation of, 922.
abandonment of location by non-user of, 931.
effect of transfer on right of eminent domain, 958, n.
when subject to power of eminent domain, 967.
compensation where part only impaired, 967.
exclusive subject to power of eminent domain, 968.
how sale of affects appropriation cases, 1025.
injunction to protect rights in, 1049.
when lien may be acquired on, 1069.
municipal corporations no inherent power to grant, 1076.
right to use streets, 1079.
time for which street railway franchises may be granted, 1096l.
sale of street railway franchise at auction, 1096k.
extension of term of street railway, 1096m.
when street railway franchise may be granted to other companies, 1096x.
to street railway company must be accepted as an entirety, 1096aa.
duty of street railway company to construct line within time specified, 1096ac.
of interurban railways, 1096bi.
when can not be impaired by opening street, 1104.
what amounts to impairment of, 1121.
must not be impaired by railroad crossing, 1121.
taken subject to right of other roads to cross, 1126.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FRANCHISE TAX,
as interference with interstate commerce, 758.

FRAUD,
See FRAUDULENT REPRESENTATIONS.
of promoter in selling to corporation, 12, n.
in contract of promoter, 13.
effect of in issuing shares of stock, 79, n., 80.
in issuing watered stock, 88.
in paying for stock with worthless property, 91.
in payment of subscriptions with overvalued property, 110.
parol conditions in subscriptions, 112.
when may be shown by parol evidence, 129.
subscriber must be free from negligence to take advantage of, 130.
subscription induced by voidable, 131.
subscriber has reasonable time in which to take advantage of, 132.
in declaring forfeiture of stock, 151.
when will release stockholder from liability, 176.
when not available as a defense, 181.
liability for agent's, 213, 1535, n.
individual liability of agents for, 231.
contract with director must be free from, 276, n.
by directors on third persons, 282.
when company not bound by agent's, 303.
effect of in declaration of dividends, 318.
setting aside lease for, 478.
when will not be presumed, 478.
effect of in increasing capital stock, 483, n.
burden of proving on party charging it, 484.
right to set aside foreclosure sale for, 529.
effect of in sale or reorganization, 535.
as ground for appointing receiver, 549.
removing receiver appointed for purposes of, 586.
vacating order of railroad commissioners on ground of, 707.
effect of in railway aid election, 860.
effect of in issuing municipal aid bonds, 873.
how affects right to specific performance, 935.
effect of in securing release of damages, 937.
setting aside report of condemnation proceedings for, 1041.
as affecting report of commissioners, 1042, n.
effect of in construction contracts, 1058.
effect of in terminating construction contract, 1058.
effect of in engineer's estimates, 1059.
when engineer liable for, 1059.
in construction contracts, 1059a.
by lienholder, 1075.
avoiding releases and compromises for, 1377.
parol evidence to show, 1423.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FRAUD—Continued.
in assignment of bill of lading, 1428.
effect of on part of connecting carrier, 1451.
effect of on part of shipper, 1491.
in securing acceptance of bill of lading, 1502.
on part of shipper in valuing goods, 1510.
loss caused by that of shipper, 1534.
liability of carrier for that of agent, 1535, n.
ticket secured by, 1593, n.
validity of pass obtained by, 1604, 1606.
duty to person riding on pass secured by, 1609.
effect of in securing passes, 1610.
evidence of in use of pass, 1610.
defeating plaintiff's right to recover, 1696.

FRAUDULENT CONVEYANCE,
when receiver may sue to set aside, 537.

FRAUDULENT REPRESENTATIONS,
See FRAUD.
promoters liable for, 13.
in obtaining subscriptions, 127.
examples of in securing subscriptions, 127.
personal liability of directors for, 282.
effect where delivery secured by, 1572.

FRAUDULENT SALE,
right of minority stockholders to have set aside, 169.

FRAUDULENT STOCK,
enjoining payment of dividends on, 321, n.

FREE PASSES,
See PASSES.
limiting liability to persons riding on, 1498.

FREEHOLDERS,
See LANDOWNERS.
when appraisers or commissioners must be, 1017.
definition of, 1017, n.
when abutters on streets have rights of, 1085.

FREEZING,
liability of carrier for loss by, 1455.

FREIGHT,
See CARRIERS OF GOODS AND ANIMALS; GOODS; FREIGHT CHARGES.
rules governing receipt and delivery of, 200.
reasonable time in which to unload, 200.
contracting for carriage beyond company's line, 303.
authority to carry on passenger train, 303.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FREIGHT—Continued.
liability of lessor for lessee's refusal to carry, 473, n.
liability of trustees for loss of, 514, n.
right of receiver to give special rate on, 579.
authority of receiver to carry, 566.
authority of receiver to contract for carriage of, 567.
mandatory injunction to compel delivery of, 636.
mandamus to compel carriage of, 640.
legislature regulating rates of, 659.
compelling companies to maintain facilities for, 662.
regulating compensation for carriage of, 672, 689.
company can not be deprived of, 691.
validity of tax on interstate, 764.
covenants in reference to shipment of, 946.
injuries to animals caused by, 1207.
duty to person loading and unloading, 1248.
duty to person inquiring about, 1256.
duty and liability of switching companies with reference to, 1398.
street railway companies are not common carriers of, 1402.
effect of requirement that shipper shall load, 1405.
liability for that lost by fire, 1405.
assumption that station agent has authority to receive, 1406.
agent of shipper making delivery of, 1408.
delivery and acceptance at unusual place, 1411.
destruction by fire while awaiting shipment, 1411.
claims for damage to, 1512.
effect of acceptance for carriage to other states, 1673, n.
contracts in reference to interchange of, 1685.

FREIGHT AGENT,
See General Freight Agent.
when process may be served on, 621.

FREIGHT CAR,
See Cars; Freight Train.
penalty for placing behind passenger coach, 724.
riding on, 1609, 1629.

FREIGHT CHARGES,
See Demurrage; Extra Charges.
validity of tax on, 763, n.
forfeiture of franchises for making unlawful, 644.
right of assignee of bill of lading to demand goods where charges unpaid, 1429.
right of connecting carrier to demand prepayment, 1395a.
rights and liabilities of connecting carriers as to, 1451.
duty of connecting carrier as to payment of accrued, 1452.
non-payment as excuse for refusal to carry goods, 1466.
consideration for reduced, 1510.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FREIGHT CHARGES—Continued.
regulating according to value of property shipped, 1510.
lien for not divested by attachment, 1538.
carrier waiving lien for, 1543, n.
when may be demanded in advance, 1558.
on lost freight, 1558.
setting off damages against, 1558.
waiver of right to prepayment, 1558.
right to demand where damages exceed amount of, 1558, n.
who is liable for, 1559.
liability of consignee for, 1559.
how assignment of bill of lading affects, 1559.
amount of compensation, 1560.
difference in charges where transportation is in different directions, 1560.
when reasonableness a question for the court, 1560.
when shipper may recover excess, 1560.
custom and usage determining amount of, 1560.
how calculated, 1561.
may not be regulated in proportion to prosperity of shippers, 1561.
where goods shrink or expand, 1561.
pro rata itineris, 1562.
where goods are stopped short of destination, 1562.
where accident causes delay, 1562.
excessive and unreasonable, 1563.
value as affecting, 1563.
carrier liable for overcharges, 1563.
rights and remedies where excessive charges are demanded, 1564.
effect of tender of reasonable, 1564.
effect of voluntary payment of excessive, 1564.
paid under mistake of fact, 1564.
discrimination, 1565.
rebates, 1565.
compensation for special services, 1566.
for what extra charges may be made, 1566.
when extra charges may be made, 1566.
demurrage, 1566.
lien for, 1567a.
for delay in unloading cars, 1567.
car service associations, 1568.
method of determining reasonableness of car service rule, 1568.
collecting, 1569.
where there are connecting carriers, 1569.
right to demand in advance, 1569.
effect of excessive demand, 1569.
enforcing payment by holding goods, 1569.
lien for where there are connecting carriers, 1569.
enforcement of lien for, 1571.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FREIGHT CHARGES—Continued.
last of connecting carriers collecting, 1569.
carrier's lien for, 1570.
action to collect, 1571.
waiver and loss of lien for, 1572.
power of interstate commerce commission, 1672.
effect of unreasonable classification for, 1678.
long and short haul, 1682.
reasonable charges, 1684.

FREIGHT COMPANIES,
See FAST FREIGHT COMPANIES.

FREIGHT DEPOTS,
See DEPOTS; STATIONS.
duty to maintain, 720.
land may be condemned for, 960.
no duty to fence at, 1194.
delivery must be made at as a rule, 1411.

FREIGHT HANDLER,
risks assumed by, 1290.

FREIGHT RATES,
See FREIGHT CHARGES.
how reasonableness of determined, 691.

FREIGHT TRAINS,
rules forbidding carriage of passengers on, 200.
running on Sunday, 717.
penalty for riding on, 729.
passenger trains have precedence over, 1133.
contributory negligence in crossing track immediately behind, 1164.
negligence in attempting to pass between sections of, 1169.
rate at which may be run, 1225.
effect where passengers are carried on, 1466, n.
judicial knowledge as to running of, 1527.
no presumption that person on is a passenger, 1578.
passenger on, 1582.
passenger assuming risks on, 1582.
care owing to drover riding on, 1606.
risks assumed by riding on, 1609, 1629.
degree of care due to passengers on, 1629.
injury to passengers on, 1629.
right to refuse to carry passengers on, 1629.
breaking apart, 1635.
ejecting passenger from, 1637, n.

FREIGHT YARD,
street can not be taken for, 1076.
no duty to fence, 1260.
enjoining destruction or condemnation of, 1632.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FRESHET,
as act of God, 1455.

FRIGHT,
as element of damages, 1817.

FRIGHTENED ANIMALS,
duty of carrier to set aside car containing, 1549c.

FRIGHTENING HORSES,
liability for, 1264.
in operation of street railways, 1096cn.
by objects left on right of way near crossing, 1179e.
by operation of hand cars, 1179f.
where fright caused by act of intermeddler, 1179g.
judicial knowledge of liability to fright at escaping steam, 1689h.
instructions on liability for, 1851.

FROGS,
law fixing kind of, 724.
duty to block, 1272a.
negligence in failing to block, 1374, n.

FRUIT TREES,
measure of value for destruction by fire, 1239, n.

FUEL,
when subject to lien of mortgage, 495.
subject to mortgage lien, 498.
that may be used in locomotives, 1224.

FUNDS,
expending for purpose different from that for which collected, 374.
lack of as affecting duty of receiver to public, 578.

FURNITURE,
subject to mortgage liens, 498.
as baggage, 1647.

FUTURE CONSEQUENCES,
See DAMAGES.

FUTURE DAMAGES,
effect on condemnation proceedings, 1004.

FUTURE DIVIDENDS,
when profits can not be reserved to pay, 84.

FUTURE LEGISLATION,
taking charter subject to, 43, n.

FUTURE NEGLIGENCE,
See NEGLIGENCE; LIMITATION OF LIABILITY.
when may be contracted against, 1236.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

FUTURE NEGLIGENCE—Continued.
contracts against are void, 1376.
can not be contracted against, 1390.
when may be contracted against, 1608.

FUTURE USE,
condemning land for, 962, 973.

G

GARNISHEE,
duty and liability of, 625.
duty to claim exemption for principal defendant, 627.

GARNISHMENT,
stockholder liable to for unpaid calls, 182.
obtaining jurisdiction over corporation by, 624.
duty and liability of garnishee, 625.
how situs of property affects right of action, 624.
when foreign corporation subject to, 624.
binding from time of service of process, 625.
when wages exempt from, 625.
answer in to be verified, 625, n.
of property in possession of carrier awaiting shipment, 626.
what may be reached in, 626.
of employes' wages, 627.
criminal offense to bring in foreign state, when, 627.
does not reach wages of employe subsequently earned, 627.
obtaining priority over receiver by, 555.
when may be maintained against receiver, 573.
as excuse for failure to deliver, 1538.
as excuse for failure to ship, 1461.

GATE-KEEPER,
liability for negligence of, 1157.
negligence in failing to heed, 1171.
liability for assault by, 1265, 1638.

GATES,
requiring company to keep at crossings, 724.
judicial knowledge of necessity for, 1689h.
abutting owner not entitled to compensation for erection, 1113.
at highway crossings, 1114.
negligence in managing, 1171.
when required at crossings, 1157.
when necessity a question for the jury, 1157.
open ones as invitation to cross, 1157.

GATES AND BARS,
at private crossings, 1193, 1199, 1200.
duty to keep them closed, 1200.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

GATES AND BARS—Continued.
reasonable time in which to close and repair, 1200.
duty of landowner to close, 1200.
negligence of landowner in leaving open, 1209.

GENERAL BENEFITS,
how affect question of compensation and damages, 988.
distinguished from special, 989.
definition of, 989.

GENERAL DENIAL,
pleading admits corporate existence, when, 616.

GENERAL FREIGHT AGENT,
authorizing signing of bills of lading, 1416.
contracting for extra-terminal liability, 1437, n.

GENERAL INJURIES,
when compensation not given for, 981.

GENERAL ISSUE,
effect of plea of, 1694.

GENERAL LAWS,
incorporation under, 18.
corporation charters secured under, 34.
for incorporation of railroads, 36.
repeal of charter by, 60.
charter subject to those reserving power to repeal, 61.
federal courts enforcing as to master and servant, 1339.

GENERAL LIEN,
carrier has none, 1570.

GENERAL MANAGER,
can not release stockholder from liability, 176.
not entitled to benefit of personal liability of stockholders, 186.
judicial knowledge of authority of, 208, n.
authority to contract for care of injured employe, 222.
liability of company for arrest made by, 303, n.
two companies may employ one, 342.
as fellow-servant, 1321.

GENERAL NOTICE,
See NOTICE.
carrier's liability can not be limited by, 1501.

GENERAL RULES,
for construing corporate charter, 38.

GIANT POWDER,
lien for that furnished, 1068.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a, *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

GIFT,
of shares of stock, 96.
directors can not make of corporate property, 274.
when company can not take land by, 374, n.
company may take land by, 933.

GOING CONCERN,
policy of the law to keep a railroad a, 573.

GOLD,
making bonds payable in, 487.

GONGS,
duty of motorman to sound, 1096ce.

GOOD FAITH,
See MUNICIPAL BONDS.

GOODS,
See FREIGHT; CARRIERS OF GOODS.
special contract for carriage of, 364.
receiver liable for loss or damage to, 577.
when no implied duty on part of passenger to carry, 1392.
duty to accept and carry, 1393.
transfer of from cars of one company to those of another, 1395.
street railway companies are not common carriers of, 1402.
when plaintiff must show offer to furnish, 1476.
consignee has reasonable time to inspect and remove, 1528.
rule where they are to be held until called for, 1529.
rule where they are not to be delivered until paid for, 1530.
duty to carry owing to the general public, 1690.

GOVERNING BOARD,
directors constitute, 235, 236.

GOVERNMENT,
departments of are separate, 677.
when estopped by land grants, 806.
reserving right to use railroad, 811.

GOVERNMENTAL CONTROL,
See CONTROL; POLICE POWER.
introductory, 657.
how commerce clause of federal constitution affects power of the states, 658.
nature of, 659.
legislative power over private rights of railroad companies, 659.
constitutional protection, 659.
limits of legislative power sometimes unduly extended, 661.
regulations affecting acts and duties of a public nature, 662.
corporate rights are subject to the police power, 663.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

GOVERNMENTAL CONTROL—Continued.
police power fettered by limitations, 664.
subject must be one over which police power extends, 665.
police power, legislative and judicial questions, 666.
the police power and the commerce clause of the federal constitution, 667.
regulations that have been held valid, 668.
power to impose penalties in favor of private persons, 669.
compelling erection of farm crossings, 668.
regulating speed of trains, 670.
abolishing grade crossing, 671.
requiring services and denying compensation, 672.
over federal corporations, 673.

GOVERNMENTAL POWERS,
municipality can not surrender, 1082.

GOVERNMENTAL SUBDIVISIONS,
may be authorized to issue aid bonds, 878.

GRADE,
making crossing above or below, 1123.
duty to conform to street grade in railroad construction, 1082a.
raising so as to necessitate changes in adjoining business buildings, 1057a.

GRADE CROSSING,
municipality paying part of expense of changing, 361.
right of railroad commissioners to compel removal of dangerous, 668, n.
power to change or remove, 671.
may constitute nuisance, 671.
constitutionality of statute requiring the erection and maintenance of, 671a.
power to abolish, 975.
expense of abolishing, 975.
when company may construct, 1108.
rule where no statute forbids, 1108.
crossing above grade, 1109.
tendency to abolish, 1109.
crossing below grade, 1110.
of railroads, 1122.
policy to discourage, 1122, 1123.
equity preventing, 1122.
injunction to prevent construction of, 1122, 1125.
expense no excuse for abolishing, 1122.
conforming to line crossed, 1122.
railroad crossings above or below grade, 1123.
disinclination to allow street and steam roads to cross at grade, 1135a.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

GRANT,
by municipal corporations subject to conditions, 361.
acquisition of fee of real estate by, 400.
acquiring right of way by, 932.
eminent domain power can not be surrendered by, 950, 963.
construction of those by municipality, 1080.

GRANTEE,
when mortgagor's should be party to suit to foreclose, 511.
essential to every conveyance, 933.
grants construed strictly against, 1080.
when railway company bound to give passes to, 1611.

GRANTOR,
performance prevented by, effect, 941.

GRASS,
See COMBUSTIBLE MATERIAL; DAMAGES.
must be cut and destroyed, 1226.
duty to clear from right of way, 1226.

GRATUITOUS BAILEE,
must exercise some degree of care, 1389.
when company is of baggage, 1615, n.
liability for baggage as, 1652.

GRATUITOUS PASSENGERS,
See PASSES.
contracting against liability for injuries to, 1498.
drovers are not, 1605.

GRATUITOUS STOCK,
when may be recalled for cancellation, 89.

GRAVEL,
implied authority to take, 41.
right to acquire real estate for, 393.
condemning land for purpose of securing, 960.

GRAVEL TRAIN,
when running one is operating a railroad, 1, n.

GRIPMAN,
fellow-servant of curve watchman, 1333c.

GROSS NEGLIGENCE,
See NEGLIGENCE.
liability for, 1254.
carrier can not limit its liability for, 1498.
when there is, 1609.
liability for merchandise lost by while being carried as baggage, 1649, n.
justifies exemplary damages in some jurisdictions, 1801.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

GROSS RECEIPTS,
taxation on basis of, 738, 758, n., 765.

GROUNDS OF FORFEITURE,
of corporate franchise, 49.

GROUP RATES,
how affected by interstate commerce act, 1683.
when amount to discrimination, 1683.

GROWING CROPS,
See CROPS.
destroyed by building road, 995.
measure of damages for destruction of, 1239, n.

GUARANTEED DIVIDENDS,
payment of, arrearages, 83.
rights of preferred stockholder after payment of, 84.

GUARANTEED STOCK,
when may be issued, 86.

GUARANTOR,
when should be party in suit to foreclose mortgage, 511.

GUARANTY,
power of to make of bonds, 481.
power of railroad company to guaranty dividends on preferred stock, 86, n.
of payment of claims against contractors, 1065a.

GUARDIANS,
purchase and sale of stock by, 94.
making deed for right of way, 934.
suing for minor child, 1368.

GUARD RAILS,
law fixing kind of, 724.
as a part of highway crossings, 1097.
duty to erect at highway crossings, 1107.

GUN CASE,
as baggage, 1646, n.

H

HABEAS CORPUS,
removal to federal court, 646.

HACKMEN,
discrimination against, 1678, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

HAND-CAR,
rights of persons riding on, 221.
frightening horses by operation of, 1179f.
trespassers injured by, 1265a.
child injured by, 1260.
negligence in leaving on highway, 1264.
as "car" within employers' liability acts, 1354.
liability for injury while using, 1355.
when persons on are passengers, 1582.
passenger not to be carried on, 1632.

HANDLING GOODS,
negligence of carrier in, 1481.

HARDSHIP,
as affecting construction contracts, 1060, n.

HAZARDS,
See DANGERS; RISKS; ASSUMPTION OF RISKS.
when those of dangerous service assumed, 1302.

HEADLIGHT,
duty to have on locomotive, 1159, 1205.
effect where obscured by rain, 1205, n.

HEALTH,
ill, as ground for removal of receiver, 586.
injury to health of passengers from exposure, 1641a.

HEARING,
legislature can not deprive one of right to, 666.
right to before railroad commission, 686.
parties entitled to in condemnation proceedings, 1039.

HEAT,
duty to protect freight from, 1478.

HEATING CARS,
when company required to heat cars, 724, n.
pleading injuries from failure to warm cars, 1758.
duty to furnish in sleeping cars, 1621.

HEAVY GRADE,
grade crossing causing, 1123.

HEDGE,
serving as fence, 1184.

HEIRS,
as parties to condemnation proceedings, 1025.

HIDDEN DANGERS,
duty to notify licensee of, 1250.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

HIGHER FARE,
right to exact on train, 201.

HIGH SEAS,
commerce on, 1671.

HIGHWAYS,
See PUBLIC HIGHWAYS; STREETS; RAILROAD CROSSINGS.
railroads are in a sense public, 33.
street railway as, 1096e.
railroad's implied authority to cross, 41.
constructing railroad along, 41.
railways constructing bridges across, 43.
dedication of land for use as, 425.
irrevocable dedication of highways across tracks, how made, 425, n.
enjoining company from occupying, 630.
right of municipality to protect by injunction, 630.
mandamus to compel restoration of, 639.
regulating speed of trains across, 668.
penalty for obstructing, 719.
mandamus to compel company to restore, 719.
duty of company to restore condition of, 719.
government using railroad as, 811.
implied power to cross, 922.
condemnation of right of way for, 975a.
rights of abutting landowners in, 987.
assessing damages to land divided by, 992.
condemnation of railroad property for, 996c.
duty of railway company to restore and repair, 1092.
right to cross public roads includes right to cross streets, 1076. n.
legislative sanction necessary to use of, by street railway, 1096g.
use of by interurban railways, 1096bi.
use of interurban tracks by public, 1096bo.
whether operation of interurban railway over imposes added burden, 1096be.
general rules of liability of street railway company as to persons using, 1096cb.
injuries by collision between street cars and vehicles or travelers on street, 1096cg.
injuries to travelers from wires or electricity, 1096cm.
right to construct railway across, 1099.
when authority to cross is implied, 1099.
railway companies securing consent to cross, 1101.
damages where they are opened across railroad, 1103.
impairing rights by taking company's property, 1104.
restoring condition of highway, 1105.
railway company must not destroy, 1105.
right to change course at crossings, 1105.
right to change grade on surface of, 1108.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

HIGHWAYS—Continued.
must not be obstructed where crossing is above grade, 1109.
passing over railroads, 1110.
at what ones signals required, 1158.
allowed to remain unfenced, 1193.
duty to fence vacated or abandoned, 1193.
fences at oblique approaches to, 1197.
fences should be erected on margin of, 1197.
cattle-guards at margin of, 1198.
injury to animals on, 1203.
causing injury to travelers on adjacent, 1263.
negligence in leaving hand-cars upon, 1264.
negligence in leaving car in, 1264, n.
evidence in actions for injuries to travelers by street railways, 1790.

HIGHWAY CROSSINGS,
See RAILROAD CROSSINGS; INJURIES AT CROSSINGS; HIGHWAYS.
rights of public at, 1093.
right of state or city to compel trains to stop on approach to, 670a.
definition of, 1097.
what is included in highway crossing, 1097.
embankments as part of, 1097.
width of, 1097.
right to lay out highway across railway, 1098.
right of way over held subject to public right of way, 1098, n.
right to construct railway across highway, 1099.
duty of railway company to restore, 1099.
effect of nonuser of highway for specified time, 1099, n.
laying parallel tracks at, 1099.
proceedings by municipality, 1100.
proceedings by railway company, 1101.
when is a taking of property, 1101.
when compensation should be made, 1101.
county commissioners consenting to, 1101, n.
construction of crossing, 1102.
duty as to highways laid out after road constructed, 1102.
police power as to matter of constructing, 1102.
duty to maintain is a continuing one, 1102.
damages where highway is opened across railroad, 1103.
cost of planking as element of damages, 1103.
increased danger of accidents, damages, 1103.
impairing rights of railway company, 1104.
effect of joint use by street railway company on duty to repair, 1105, n.
duty to restore independent of statute, 1105.
mandamus to compel restoration, 1106.
when company's discretion as to construction will not be controlled, 1106.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

HIGHWAY CROSSINGS—Continued.
right of county to compel restoration of highway, 1106, n.
width of approaches and embankments at, 1107.
approaches, embankments and other structures, 1107.
duty to erect guards and barriers at, 1107.
grade crossings, 1108.
crossings above grade, 1109.
crossings below grade, 1110.
assessment of damages on abolition of grade crossing, 1109, n.
mandamus to compel construction of viaducts, 1111.
duty to restore is a continuing one, 1111.
keeping crossing in repair, 1112.
duty to repair owing to passengers, 1122.
obligation to repair extends only to lawful highways, 1112.
rights of abutters, 1113.
gates, watchmen and signals at, 1114.
effect of slight deviation as to sign at crossing, 1114.
defenses to actions for failure to keep sign boards, 1114.
lights at crossings, 1114a.
bell signals at, 1114b.
duty to maintain crossing as between lessor and lessee of road, 1114c.
duty of maintenance where different roads cross at grade, 1114d.
width of crossing to be maintained in repair, 1114e.
accidents and injuries at, 1115.
injury caused by defects in, 1115.
warning of danger at, 1156.
signboards, gates and flagmen at, 1157.
signals on aproach to, 1158.
speed at, regulated according to danger, 1160, n.
not negligence to maintain necessary buildings at crossings, 1161.
traveler not a trespasser by passing around car obstructing crossing, 1164, n.
exceptions to look and listen rule, 1166, n.
look and listen rule not arbitrary as to time and place, 1166a.
last clear chance doctrine, 1175.
question of traveler's contributory negligence for the jury, 1179a.
when contributory negligence question for court, 1179b.
collision between train and traction engine, 1179c.
injuries to bicyclists, 1179d.
fright of horses at objects left on or near highway, 1179e.
horses frightened by operation of hand cars over, 1179f.
liability for acts of intermeddlers, 1179g.
closing train without warning, 1179h.
traveler struck by train on parallel track, 1179i.
traveler struck by train closely following another, 1179j.
slackening speed of trains at, 1204, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

HISTORY OF RAILWAYS,
reference to, 4, n.

HOLDING CORPORATIONS,
illegal, as interference with interstate commerce, 1674.

HOLDING OVER,
on failure to elect directors, 248.

HOMESTEAD,
effect where taken from railway land grants, 799.
conveyance of to railroad company, 934.
holder of as party to condemnation proceedings, 1025.

HOMESTEAD CLAIMS,
land grants conflicting with, 796.

HOMESTEAD ENTRY,
effect of concellation of, 803.

HORSES,
See ANIMALS; FENCES; FRIGHTENING HORSES; DUTY TO FENCE.
duty to fence against, 1190.
frightened by escaping steam, 1264.
willfully frightening, 1264.
liability for frightening, 1264.
frightened by car in highway, 1264, n.

HOSPITALS,
See RELIEF DEPARTMENT AND HOSPITALS.

HOSTLER,
as fellow-servant of boiler washer, 1346.

HOTEL,
See EATING HOUSES.
included in mortgage of after-acquired property, 497.
right to build and maintain on lands acquired for right of way, 946b.

HOTEL KEEPER,
duty to one at depot to solicit guests, 1256.

HOTEL RUNNERS,
right to expel from railroad premises, 200, n.

HOUSES,
for employes, no authority to erect, 41, n.

HUSBAND AND WIFE,
effect of conveyance from husband only, 934.
as parties to condemnation proceedings, 1225.
recovery by husband for injury to wife, 1822.
suing for death of wife, 1368.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

I.

IDENTIFICATION,
of purchaser of ticket, 1599a.
by signing name to ticket, 1600.

IDENTIFICATION OF CONSIGNEE,
right of carrier to require, 1525.
negligence in failing to require, 1526, n.

IGNORANCE,
See KNOWLEDGE; NOTICE.
as an element in corporate contracts, 351.
freight charges paid under, 1564.

ILLEGAL ACTS,
as affecting right to specific performance, 935.

ILLEGAL CALLS,
what constitute, 136.

ILLEGAL CONTRACTS,
See CONTRACTS.
distinguished from unlawful contracts, 369.
courts will not enforce, 382.
distinguished from ultra vires contracts, 383.
classes of, 384.

ILLEGAL FARE,
liability for conductor exacting, 302, n.

ILLEGAL TAXES,
shareholders resisting, 742.
injunction to prevent collection, 751.
remedies against, 751.
tender in suit to restrain collection, 752.

ILLEGITIMATE CHILD,
action for death of, 1368.

ILLUSTRATIVE CASES,
of police regulations, 44, 44, n.
of forfeiture of charter, 49.
of compliance with conditions in subscriptions, 125.
of exercise of authority by agents, 220.
of scope of authority of corporate representatives, 221.
of de facto directors, 246.
of powers of directors, 251.
of delegation of authority by directors, 258.
of directors as trustees, 275.
of corporate power to contract, 342.
of contracts that may be made by railroad companies, 364.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ILLUSTRATIVE CASES—Continued.
of ultra vires contracts, 374.
of contracts void as against public policy, 388.
of implied power to hold real estate, 393.
of denial of power to acquire real estate, 394.
of construction of statutes authorizing leases, 434.
of liability of lessee under authorized lease, 471.
of delay in suing to set aside fraudulent foreclosure sale, 529, n.
of grounds for appointment of receivers, 547.
of grounds for removal of receivers, 586.
of acts which do not work dissolution, 606.
of transitory actions, 623, n.
of mandatory injunctions, 636.
of cases where mandamus will not lie, 642.
of separable controversy in removal of causes, 650.
of removal of causes where federal question is involved, 652.
of unconstitutional police regulations, 665.
of powers of railroad commissioners, 682.
of construction of land grants, 795.
of effect of land grants, 797.
of scope of legislative power in reference to public aid, 826.
of impairment of contract rights in reference to public aid, 833.
of construction of statutes authorizing public aid, 835.
of failure to conform to enabling act in securing public aid, 850.
of conditions in grant of public aid, 851.
of estoppel by recitals in aid bonds, 898.
of estoppel otherwise than by recitals in aid bonds, 903.
of conditions subsequent, 941.
of covenants in acquisition of right of way, 946.
of what constitutes a taking of property, 977.
of measure of damages in condemnation proceedings, 995.
of matters to be considered in estimating damages, 996.
of improvements made by company under unauthorized entry, 998.
of evidence of value in condemnation cases, 1036.
as to requisites of report of commissioners, 1042.
of construction of grant to use streets, 1080.
of contributory negligence at crossings, 1164.
of injuries to trespassing children, 1260.
of contributory negligence of children, 1261.
of risks of service, 1290.
of contributory negligence of employes, 1314.
of who are vice-principals, 1318.
of who are superior agents, 1318.
of who may recover for injuries causing death, 1368.
of delivery and acceptance, 1404.
of extra-terminal liability, 1436.
of time within which claim for loss of freight must be presented, 1512.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ILLUSTRATIVE CASES—Continued.
of duty of sleeping car companies to passengers, 1621.
of contributory negligence on part of passenger, 1633.
of liability for assaults of employes, 1638.
of presumption of negligence, 1644, n.
of what things are personal baggage, 1647.
of what is reasonable time to remove baggage, 1652, n.
of void statutes, 1665.
of state statutes regulating interstate commerce, 1669.
of state statutes held not to be regulations of interstate commerce, 1670.
of undue preferences, 1678.
of discrimination, 1678.

IMMATERIAL AMENDMENTS,
majority stockholders making, 45.

IMMATERIAL PROVISIONS,
effect of omission in organizing corporation, 190.

IMMEDIATE SHIPMENT,
delivery must be for, 1409.
liability for failure to make, 1462.

IMMINENT PERIL,
passenger injured by attempting to escape from, 1642.

IMMORAL ACTS,
as affecting right to specific performance, 935.

IMMUNITY,
definition and nature of, 63, n.
when passes to new company on consolidation, 330.

IMMUNITY FROM TAXATION,
See EXEMPTION FROM TAXATION.

IMPAIRMENT,
of capacity to earn money as element of damages, 1812.
duty to consider life expectancy of injured person, 1813.
evidence of in personal injury cases, 1814.

IMPAIRMENT OF FRANCHISE,
what amounts to, 1121.

IMPLICATION,
waiver of forfeiture of corporate charter by, 52.
power to issue preferred stock not extended by, 82, n.
repeals by, 645, n.
jurisdiction created by, 683.
jurisdiction of railroad commission not extended by, 684.
as to power of eminent domain, 967.
engineer's power can not be extended by, 1059.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

IMPLIED AUTHORITY,
to maintain restaurants, 41.
to maintain telegraph line, 41.
to maintain depots, etc., 41.

IMPLIED CONDITION,
that corporate franchise is subject to forfeiture, 48.
in conveyance of real estate, 939.

IMPLIED DUTIES,
created by contract of employment, 1267.
of railroads as carriers, 1392.
to carry passengers, 1393.

IMPLIED POWERS,
conferred by corporate charter, 38.
contained in railroad charter, 41.
to choose corporate officers, 206.
of the corporation's president, 285.
passing to president with grant of authority by directors, 286.
to acquire real estate, 391, 392.
illustrative instances in reference to holding real estate, 393.
to mortgage, 490.
possessed by railroad commission, 685.
in construction of statutes, 834.
to provide for indebtedness by taxation, 840.
in issuing municipal aid bonds, 880.
of agent to contract for extra-terminal liability, 1437.

IMPLIED PROMISE,
to pay subscriptions, 109.
on part of assignee to pay freight charges, 1559.

IMPORT DUTIES,
carrier's lien for those paid, 1570.

IMPOSTOR,
liability for delivery to, 1535.

IMPRISONMENT,
for failure to obey rules and regulations, 198.
of person interfering with receiver, 575.

IMPROPER PERSONS,
carrier refusing to carry, 1577.

IMPROVED APPLIANCES,
duty to equip trains with, 1588.

IMPROVEMENTS,
discretion of directors in making, 83.
by lessee operating under unauthorized lease, 464.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

IMPROVEMENTS—Continued.
pay for in condemnation proceedings, 985.
as affecting compensation and damages, 995.
when not considered in estimating damages, 997.
company making under color of right, 997.
made by company under unauthorized entry, 998.
duty of street railway company as to streets, 1096ak, 1096al, 1096am, 1096an.
consideration of, on question of rates, 1684c.

IMPUTABLE NEGLIGENCE,
when exists, 1262.
when engineer's imputed to fireman, 1297.
of driver of street cars, 1178.

INADEQUACY OF PRICE,
as ground for avoiding foreclosure sale, 529.

INCIDENTAL POWERS,
See IMPLIED POWERS.
of the president, 284.
passing with general power to lease, 436.
possessed by railroad commission, 685.

INCIDENTS,
which pass with a principal grant, 418.

INCOME,
duty to secure for payment of income bonds, 482.
what claims shall be paid out of by receiver, 528.
receiver taking charge of pending foreclosure, 546.

INCOME BONDS,
power to issue, 482.

INCOME MORTGAGE,
nature of as a security, 482, n.

INCOME TAX,
when mortgagor not bound to pay, 505, n.

INCOMPETENCY.
of co-employes, duty to object to, 1292.
no presumption of, 1285, 1286, 1292.
of fellow-servant, when may be shown, 1697.

INCOMPETENT FELLOW-SERVANTS,
negligence in retaining, 1292.
negligence in hiring, 1329.

INCONSISTENT ORDERS,
effect of, 1314, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INCONSISTENT USE,
property devoted to public use can not be condemned for, 964.

INCONVENIENCE,
as an element of damages in condemnation proceedings, 994.
not sufficient ground for defeating railway crossing, 1116.

INCORPORATED TOWNS,
may grant public aid, 847.

INCORPORATING ACT,
repeal of, effect on corporate charter, 60.

INCORPORATION,
under general laws, 18.
stating objects of in charter, 18.
conditions precedent to, 18.
when must be alleged in bringing actions, 616.
of interurban railway companies, 1096bf, 1096bg.
under street railway law, 1096bh.

INCORPORATORS,
names of in articles of incorporation, 18.
residence of in articles of incorporation, 18.
accepting charter, 35.

INCREASE,
of capital stock, 87.

INCREASED PRECAUTIONS,
after accident, evidence of inadmissible, 1697.

INCUMBRANCES,
duty of receiver to keep down out of rents and profits, 562.

IN CUSTODIA LEGIS,
when property in subject to garnishment, 626.

INDEBTEDNESS,
power to secure by mortgage, 488, n.
default in payment of as ground for appointing receiver, 545.

INDEFINITENESS,
when notice in appropriation cases void for, 1020.

INDEMNITY,
furnishing on payment of lost bond, 487.

INDEMNITY LANDS,
when title to passes, 799.
statute providing for liberally construed, 799.
when given in land grants, 799.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INDEPENDENT AGENCY,
what is, 1231.
when wind is, 1231.
intervening in cases of fires, 1231.

INDEPENDENT CONTRACTOR,
not entitled to statutory preference, 605.
definition of, 1063.
liability of company for negligence of, 1063.
can not relieve company of performance of statutory duties, 1063.
when liability of ceases, 1064.
liability for negligence of himself and servants, 1064.
injuries to employes of, 1265d.

INDICTMENT,
See CRIMES; PENAL OFFENSES.
when lies against a corporation, 709.
recovering statutory penalty by, 712.
of railroad companies for causing death, 716, 1368.
for death, proof supporting theory, 716.
for leaving cars in public highway, 718.
against railroad company for maintaining nuisance, 718.
for failing to repair crossings, 718.
under separate coach act, 718a.
for failure to give signals at crossings, 718, 721.
for unlawfully cutting through highway, 718.
for obstructing of highways, 719.
for failure to maintain station accommodations, 720a.
for obstructing track, 730.
for burglary of railroad car, 732.
of railway company for maintaining nuisance, 1096.
killing stock, 1183.
for violating interstate commerce act, 1688.
for conspiracy, 1688, n.

INDIVIDUAL,
may operate railroad, 1.
may be common carrier, 1.
railroad is as to making contracts, 21.
taking private property for public use, 953.
duty to fence road operated by, 1208.

INDORSEMENT,
power to make, 480.
of receiver's certificates, effect of, 594.

INDORSER,
when should be party to foreclosure suit, 511.

INELIGIBLE PERSON,
election of to office of director, 243, 245.
who may question right of to office of director, 245.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INEQUALITY,
how affects validity of taxation, 774.

INEVITABLE ACCIDENT,
See ACCIDENT; ACT OF GOD.
when carrier liable for loss by, 1481.
causing loss of baggage, 1651.

INFANT,
See CHILDREN; MINORS.
owning and transferring shares of stock, 93.
subscribing for stock, 107.
sufficiency of notice to, 1023.
when must be personally served, 1025.
when guilty of contributory negligence, 1172.
care due to one riding on pass, 1606.

INFIRM PERSONS,
duty of street railway company to, 1094.
injuries at crossings, 1172.

INFLUENCING VOTERS,
at railway aid election, 860.

INFORMATION,
See INDICTMENT; QUO WARRANTO.
to forfeit corporate charter, 55.
demurrer to in quo warranto proceedings, 644.

INFORMER,
rights where case is compromised, 713.
when right to penalty becomes vested, 713.
what necessary to constitute, 713.
rights of in penal actions, 713.
when may maintain actions, 713.

INHERENT DEFECTS,
See LATENT DEFECTS.
carrier not bound to search for, 1492.

INHERENT NATURE OF FREIGHT,
carrier not liable for loss caused by, 1481, 1534.
as defense to suit against carrier, 1695.
liability for injuries to live stock, caused by, 1546, 1549, 1557.

INITIAL CARRIER,
See CONNECTING CARRIERS.
transfer company as agent of, 1399.
effect of delivery to transfer company, 1399.
when liability of terminates, 1412.
duties of, generally, 1432.
duty where connecting carrier refuses to receive goods, 1432.
carrier not bound to carry beyond own line, 1432.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INITIAL CARRIER—Continued.
duty of intermediate carrier, 1432, n.
as a forwarding agent, 1432, 1451.
no extra-terminal liability unless by contract, 1433.
extra-terminal liability by contract, 1434.
what constitutes extra-terminal contract, 1435.
when discharged by delivery to connecting carrier, 1435.
when bound for entire carriage, 1435.
effect where it accepts through rate, 1435.
contract "to forward," 1435, n.
illustrative cases of extra-terminal liability, 1436.
authority of agents as to extra-terminal liability, 1437.
acting as forwarding agent, 1437.
exclusion of liability by contract, 1438.
rule where statute makes it liable for negligence of others, 1439.
liability for deviation from route, 1440.
liability for failure to obey instructions, 1440.
transmitting shipper's instructions to connecting carriers, 1440.
when may select route, 1440.
actions on account of extra-terminal defaults, 1441.
what damages liable for, 1441.
when connecting carriers liable for default of, 1444.
how its contract affects connecting carriers, 1446.
presumption that it received goods in good condition, 1450.
as warehouseman when connecting carrier refuses acceptance, 1449, n.
shipper suing, 1452.
relation to succeeding carrier, 1452.
when not liable for overcharges, 1563.
authority to select route, 1569.
liability for loss of baggage, 1658.

INITIALS,
of name of subscriber to articles of incorporation, 18, n.

INJUNCTION,
against unjust discrimination, 27.
against failure to build road, 51.
is not proper remedy to forfeit corporate charter, 55.
against issue of preferred stock, 82.
against payment of dividends on common stock, 83.
against purchase of stock in another company, 95, n.
to enjoin forfeiture of stock, 152.
against combination or conspiracy of stockholders, 174.
against removal of director, 271, n.
against payment of dividends, 317.
against payment of dividends on fraudulent stock, 321, n.
as remedy to enjoin an ultra vires consolidation, 337.
against violation of pooling contract, 366, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INJUNCTION—Continued.
against performance of ultra vires contract, 372.
to restrain making of ultra vires contract, 376.
as a remedy to enforce ultra vires contracts, 376.
against purchase of real estate, 406.
against execution of unauthorized lease, 479.
stockholder securing against ultra vires mortgage, 493
to prevent misuse of corporate franchises, 547, n.
to stop suit brought without leave against a receiver, 572.
against unlawful strikers, 575, 633.
to prevent interference with receiver, 575, n.
rights of corporation to sue for, 615.
rights of public considered in granting, 626.
against sending claim to foreign state, 627.
right of railway company to remedy by, 628.
will not be granted where will work great injury, 628.
dissolving on execution of bond to pay damages, 629.
where the company seeks to take or condemn lands, 629, 974.
where railway company is acting in bad faith in condemnation proceedings, 629.
where railroad is laid in a street, 630.
against nuisances, 631, 1069.
at suit of the company, 632.
dissolving on filing bond to pay damages, 632.
when will lie to prevent multiplicity of suits, 632, n.
to restrain use of track by a trespasser, 632.
right of lessee of road to maintain, 632, n.
grounds on which may be granted against strikers, 633.
violation of one against strikers may be punished as a contempt, 633.
at suit of stockholders, 634.
English rule as to mandatory, 635.
may be mandatory in effect, 636.
rule in the United States as to mandatory, 636.
statute authorizing unconstitutional, 665.
state railroad commission subject to from federal courts, 677.
to prevent enforcement of unreasonable rates, 691.
to prevent establishment of schedule of rates, 703.
as remedy against railroad commissioners, 705.
to prevent railroad commissioners from exceeding their jurisdiction, 706.
by taxpayers, 751a.
as remedy against illegal taxes, 751.
inequality of taxes as ground for, 751b.
to prevent collection of local assessments, 782.
to protect rights in land grants, 810.
to prevent issue of municipal aid bonds, 850.
to prevent levy of tax for public aid, 857.

Digitized by Google

INJUNCTION—Continued.
as remedy against grant of public aid, 872.
irregularities in granting public aid not ground for, 872.
when amounts to collateral attack, 872.
plaintiff must act promptly, 872.
to prevent payment of void bonds, 873.
to prevent issue of railway aid bonds, 893.
to prevent breach of contract, 936.
to prevent ouster from right of way, 944.
to prevent revocation of license, 949.
to prevent condemnation by irregularly organized company, 957.
against wrongful condemnation proceedings, 1049a.
to prevent condemnation of right of way, 974.
to prevent occupancy in condemnation cases, 1048.
as remedy of landowner against unlawful proceedings, 1049.
effect where there is right of appeal, 1049.
to prevent encroachment on adjoining property, 1049.
to prevent railroad company from taking land, 1049, n.
to prevent ejectment of railroad, 1049, n.
to secure stay of execution, 1049, n.
to prevent railroads from crossing each other, 1049, n., 1116.
effect where company fails to obtain dissolution, 1062
to prevent laying of railroad in narrow street, 1089.
mandatory to compel railway company to repair streets, 1092, n.
to prevent maintenance of nuisance, 1096.
to prevent opening of street through railway property, 1104.
to prevent crossing at grade, 1122.
to prevent one railway from crossing another, 1125.
to prevent construction of grade crossing, 1125.
will not lie where there is remedy at law, 1125.
denied where there is remedy by appeal or certiorari, 1125.
to prevent violating of contract as to priority of passage, 1133.
to prevent tearing up of street railway track, 1135.
to prevent filling of passway under track, 1147.
to prevent erection of fences, 1184.
to compel carrier to perform its duties, 1564.
restraining enforcement of order of interstate commerce commission, 1672a.
when will not lie as remedy against excessive charges, 1564.
to prevent discrimination, 1676.
to prevent violation of interstate commerce law, 1688, n.

INJURIES,
See PERSONAL INJURIES; NEGLIGENCE; DAMAGES; INJURIES RESULTING IN DEATH.
need not be shown to forfeit charter, 49.
liability for those occurring pending receivership where receiver collusively appointed, 587.
liability for those caused by construction of road, 1057.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INJURIES—Continued.
resulting from negligence of contractor, 1063.
when caused by failure to give signals, 1114.
at private crossings, 1151.
effect in cases of injuries causing death, 1378.
to person riding on pass, 1608.

INJURIES AT CROSSINGS,
See RAILROAD CROSSINGS; TRAVELERS.
introductory, 1152.
mutual rights and duties of company and traveler at crossings, 1153.
duty of company at private crossings and at crossings by custom or license, 1154.
statutory duties of company at crossing, 1155.
violation of statutory duties as negligence, 1155.
common law duty of company at crossings, 1156.
degree of care required at crossings, 1156.
sign-boards, gates and flagmen at, 1157.
signals on approach to crossings, 1158.
duty of company to keep a lookout, 1159.
when rate of speed is negligent, 1160.
duty of company where view is obstructed, 1161.
backing and "kicking" cars, 1162.
contributory negligence of travelers at crossings, 1163.
illustrative cases of contributory negligence, 1164.
duty of traveler at crossings, 1165.
effect where traveler mentally absorbed, 1165.
duty of the traveler to look and listen, 1166.
duty of traveler to stop, look and listen, 1166.
attempting to pass in front of approaching train or engine, 1168.
passing under, over or between cars, 1169.
smoke and like obstructions to view, 1170.
misleading traveler, 1171.
invitation to cross, 1171.
children and infirm persons, 1172.
sudden peril as affecting the duty of a traveler, 1173.
negligence of driver of vehicle not imputed to passengers therein, 1174.
negligence after discovery of traveler's danger, 1175.
willfulness, 1175.
evidence of subsequent repairs and other accidents at same place, 1177.
injuries at defective crossings, 1176.
collisions with street cars, 1178.
directing a verdict in crossing cases, 1179.

INJURIES RESULTING IN DEATH,
See DEATH; DAMAGES.
introductory, 1359.

Digitized by Google

INJURIES RESULTING IN DEATH—Continued.
right of action for purely statutory, 1359.
loss of services from time of injury to death, 1359.
constitutional questions, 1360.
acts of omission and commission, 1361.
construction of statutes, 1361.
limiting the right to sue, 1362.
designating the forum, 1362.
instantaneous death, 1363.
statutes have no extra-territorial effect, 1364.
pleading foreign statute, 1364.
the right and the remedy, 1365.
conflict of law, 1366.
law of place governing right of action, 1366.
who may recover, 1367.
illustrative cases of who may recover, 1368.
when personal representatives must sue, 1368.
proceeding by indictment, 1368.
rights of person dependent on deceased, 1368.
what must be shown to constitute cause of action, 1369.
death after year and a day, 1370.
actions for are transitory, 1371.
where action for may be brought, 1371.
actions by administrators and executors, 1372.
beneficiaries in action for, 1372.
when foreign administrators may sue, 1372.
who are next of kin, 1372.
time within which action must be brought, 1373.
statutes of limitation at place of accident govern, 1373.
contributory negligence may be relied on, 1374.
one recovery merges cause of action, 1375.
but one recovery for, 1375.
effect of death pending action for personal injuries, 1375.
release, 1376.
compromise of, 1376.
who has authority to compromise, 1376.
avoiding releases and compromises, 1377.
measure of damages for, 1378.
exemplary damages, 1378.
life insurance does not affect right to recover, 1378.
life tables as evidence, 1378.
contingencies affecting measure of damages in, 1378.

INJURIES TO ANIMALS,
See ANIMALS; FENCES; DUTY TO FENCE.
liability of receiver for, 577.
stopping train, 1204.
rate of speed of train, 1204.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INJURIES TO ANIMALS—Continued.
signals, 1206.
contributory negligence of owner, 1206.
actual collision with animal, 1207.
caused by fright, 1207.
liability of lessees, mortgagees, and receivers, 1208.
when lessor and lessee both liable for, 1208, n.
contributory negligence of owner, 1209.
contributory negligence in leaving gates and bars open, 1209.
animals attracted to railway tracks, 1211.
presumption of negligence, 1213.
absolute liability can not be imposed for, 1213.
what constitutes prima facie case, 1213.
circumstantial evidence in cases of, 1214.
evidence generally, 1214.
burden of proof, 1214.
burden on plaintiff to show place of entry, 1214.
speed ordinances as evidence, 1214.
pleading and practice, 1215.
assignment of claim for, 1215.
directing verdict in cases of, 1215.
notice and demand for damages, 1216.
who may make affidavit to claim for, 1216.
service of notice of upon railroad company, 1216.
appraisement of damages, 1217.
plea of abatement in action for, 1217, n.
value of carcass, 1218.
awarding exemplary damages, 1218.
money expended in attempting cures, 1218.
opinions as to value, 1218.
measure of damages, 1218.
interest on damages, 1218.
allowing double damages, 1219.
posting list of animals killed or injured, 1219.
recovering attorney's fee, 1220.

INJURIES TO BAGGAGE,
See BAGGAGE.
liability for, 1660.

INJURIES TO EMPLOYES,
See MASTER AND SERVANT.
introductory, 1266.
contract the basis of the employer's duty, 1267.
employer's duty to furnish reasonably safe working place, 1268.
by structures near the track, 1269.
by reason of failure to fence, 1270.
by defective bridges, 1271.
by low bridges, 1271.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INJURIES TO EMPLOYES—Continued.
negligence of employer in failing to keep premises safe, 1272.
effect of promise to make repairs, 1272.
master's duty respecting machinery and appliances, 1273.
appliances generally used are sufficient, 1274.
latent defects, 1275.
delegation of master's duty, 1276.
employer not bound to abandon appliances because newer ones are in use, 1277.
duty of inspection, 1278.
duty as to inspecting foreign cars, 1279.
employer's duty to promulgate rules, 1280.
time-tables or schedules, 1281.
violation of rules by employes, 1282.
duty to warn employe of danger, 1283.
duty to employ competent servants, 1284.
presumption of competency of employe, 1285.
burden of proof where incompetency of fellow-servant is alleged, 1286.
trains to be provided with a sufficient crew, 1287.
employer is not an insurer, 1287.
assumption of risks of service, 1288.
where dangers are open, 1288.
assumption of risks from employer's methods, 1289.
illustrative cases of risks of service, 1290.
duty of employe to acquaint himself with employer's business methods, 1291.
duty of employe in regard to competency of co-employe, 1292.
employe bound to use ordinary care to remedy defects, 1293.
duty of employe to learn rules of employer, 1294.
promise to repair, 1295.
assumption of risks by brakemen, 1296.
assumption of risks by engineers and firemen, 1297.
dangers to section men from running of trains, 1298.
injuries from explosions, 1299.
injuries from collisions, 1300.
by cars negligently loaded, 1301.
by dangerous service, 1302.
ordinary risks of service assumed, 1302.
performing work outside of scope of contract of employment, 1303.
special orders to work outside line of duty, 1304.
volunteers, 1305.
concurrent negligence, 1306.
negligence of employer must be proximate cause, 1306, 1310.
rule as to master's knowledge of defects, 1307.
test of employer's liability, 1308.
evidence of employer's negligence, 1309.
knowledge of defects on part of employe, 1311.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INJURIES TO EMPLOYES—Continued.
evidence of knowledge of defects, 1312.
contributory negligence of, 1313.
illustrative cases of contributory negligence of employes, 1314.
presumption that employer has done his duty, 1314.
violation of statutory duty as contributory negligence, 1315.
actions for, 1697.

INJURIES TO LICENSEES,
See LICENSEES.
liability for, 1251.

INJURIES TO PASSENGERS,
See PASSENGERS.
authority of agents to employ physicians, 222.
carrier's negligence must be proximate cause, 1584.
illustrative cases in boarding trains, 1628a.
duty to announce approach of train to station, 1628c.
illustrative cases of injuries in alighting, 1628b.
boarding and alighting from trains, 1628.
received on freight trains, 1629.
riding on platforms and steps, 1630.
riding in baggage car, 1631.
passengers riding on platforms, 1630a.
while riding in dangerous and improper places, 1632.
while occupying improper position in car, 1633.
caused by derailment, 1634.
by collisions, 1635.
from obstructions, 1636.
ejection of passengers, 1637.
assaults and injuries by employes, 1638.
caused by other passengers and third persons, 1639.
received in sleeping cars, 1640.
received at stations, 1641.
contributory negligence, 1642.
effect of direction of trainmen to occupy dangerous position, 1643.
burden of proof, 1644.
when mere proof of raises presumption of negligence, 1644.
effect of contracts limiting liability, 1645.
actions for, 1696.

INJURIES TO SERVANTS,
See MASTER AND SERVANT; INJURIES TO EMPLOYES.

INJURIES TO STRANGERS,
See STRANGERS.

INJURIES TO TRESPASSERS,
See TRESPASSERS.
liability for, 1254.
upon railway tracks, 1257.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INN-KEEPER,
sleeping car company is not, 1616.

INNOCENT PURCHASERS,
of railway aid bonds, 836, n.
See BONA FIDE PURCHASERS.

INNOCENT THIRD PERSONS,
rights as against liens, 1075.

INSANE PERSON,
carrier not bound to accept as passenger, 1577.
liability for acts of, 1621.
when may be ejected from train, 1637.

INSOLVENCY,
effect on forfeiture, 49, n.
as ground for appointment of a receiver, 538, n., 543.
when sufficient for appointment of receiver without default, 544.
as statutory ground for appointment of receiver, 544.
how to plead, 544, n.
failure to pay taxes indication of, 545.
as affecting right to remedy of mandamus, 642.
what is sufficient evidence of, 1539.
how vendee's affects right of stoppage in transitu, 1539.

INSOLVENCY AND DISSOLUTION,
scope of chapter discussing, 598.
railroad company subject to state insolvency law, 599.
trust fund doctrine, 600.
effect of insolvency, 601.
when a corporation is deemed insolvent, 601.
assignments by corporations, 602.
preferences by corporations, 603.
preferences of stockholders and officers, 604.
statutory preference of employes, 605.
what constitutes a dissolution, 606.
judicial determination of dissolution, 607.
right to decree dissolution without statutory authority, 609, n.
voluntary dissolution, 608.
proceedings to dissolve, 609.
dissolution in case of consolidated company, 610.
effect of dissolution, 611.
corporation may have a qualified existence after dissolution, 612.
disposition of property on dissolution, 613.
rights of creditors upon, 614.

INSOLVENCY LAWS,
no extra-territorial effect, 599.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INSOLVENT COMPANY,
right to reclaim dividends paid by, 310, n.
can not declare dividends, 315, n.
equity assuming control of, 539.
making voluntary assignment, 602.
not entitled to railway aid bonds, 877.

INSOLVENT PERSON,
effect of transfer of shares to, 92, 93.
effect of subscription by, 111, n.

INSOLVENT STOCKHOLDER,
need not be party to suit for receiver, 557.

INSPECTION,
of spark arresters and ash pans, 1224.
by street railway company of appliances, 1096cu.
defendant proving in fire cases, 1245.
failure to make proper, 1263.
duty of employer to make, 1275, 1278.
to whom duty of is owing, 1278.
duty to make is a continuing one, 1278.
to what duty of extends, 1278.
of simple tools, 1278a.
custom and usage as affecting duty of, 1278.
of foreign cars, rule where there is not time for, 1279.
duty of due to engineers and firemen, 1297.
duty as to generally, 1299.
when consignee entitled to, 1528.
duty of carriers of passengers to make, 1587.
of track for broken rail, 1634.
of couplings in train, 1635.
of party, 1699.
state law requiring inspection of hides consigned to points without the state, 662.

INSPECTION OF BOOKS,
See Books.
right to those held by receiver, 583.

INSPECTORS,
duty as to employment of, 1278.
when fellow-servants and when vice-principals, 1327.
are superior agents, 1327.
precautions for safety of car on which at work, 1298a.

INSPECTORS OF ELECTIONS,
can not determine who has right to vote, 157.
when they may be enjoined from receiving vote, 174, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INSTALMENTS,
subscriptions payable in, 133, n.
subscriptions may be ordered paid in, 137.
payment of calls in, effect on forfeiture, 152.
payment of can not be avoided by transfer of stock, 178.

INSTANTANEOUS DEATH,
See DEATH; INJURIES RESULTING IN DEATH.
recovery for negligence causing, 1363.

IN STATU QUO,
placing party in on revocation of license, 949.

INSTRUCTIONS,
See MASTER AND SERVANT.
liability of initial carrier for failing to obey, 1440.
effect of failure to obey those of shipper, 1462.
duty of obedience to those of shipper, 1490.
admissibility of evidence of sufficiency of, 1796.

INSTRUCTIONS TO JURIES,
in condemnation proceedings, 1040a.
fires set out by locomotives, 1245b.
as to effect of life tables, 1378.
when court must give peremptory, 1702
in actions for delay, 1744.
in shipment of live stock, 1745, 1746.
loss or injury to live stock during transportation, 1747.
failure to feed and water stock, 1748.
loss of stock because of defective pens, 1749.
injuries caused by bad condition of stock, 1750.
injuries from loading, unloading or improper loading, 1751.
loss or injury to goods in transit, 1752.
failure or refusal to deliver goods, 1753.
liability as between connecting carriers, 1754.
measure of damages for injury to or loss of shipment, 1755.
injuries to railroad employes, 1829.
injuries to passengers, 1830.
degree of care required of carriers of passengers, 1831.
care required of passenger in his own behalf, 1832.
contributory negligence and assumption of risk by passengers, 1833.
wilful injuries of passengers, 1834.
improper speed of cars, 1835.
injuries to passengers by trainmen or other passengers, 1836.
ejection of passengers, 1837.
injuries to persons accompanying stock, 1838.
condition of depots, cars and premises, 1839.
taking up of passengers, 1840.
setting down passengers, 1841.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INSTRUCTIONS TO JURIES—Continued.
injuries to passengers from collision or derailment, 1842.
burden of proof in actions for personal injuries, 1843.
must be confined to issues, 1844.
must be confined to evidence, 1845.
must not invade province of jury, 1846.
must not assume facts in issue, 1847.
on damages recoverable for injuries, 1848.
injuries to trespassers and licensees, 1849.
injuries at railroad crossings, 1850.
injuries to persons near railroad tracks, 1851.

INSULATION,
of street railway wires, 1096cm.

INSULTS,
duty to protect female passengers from, 1591c.

INSURABLE INTEREST,
in property along right of way, 1223, 1234.

INSURANCE,
when stockholders may take and recover, 168.
authority of receiver to effect upon property held by him, 567.
as element of damages in condemnation proceedings, 996.
on property destroyed by fire set by company, 1234.
carrier taking on property in its custody, 1509.
effect of stipulations as to in contracts limiting liability, 1509.
to mitigate damages, 1805.

INSURANCE COMPANY,
as real party in interest, 1234.
property-owner as trustee for, 1234.
rights where railroad company burns insured property, 1234.
relief association is not, 1380.
when subrogated to rights of shipper, 1509.

INSURER,
employer is not, 1268, 1287, 1308.
private carrier does not act as, 1397.
when carrier is liable as, 1425, 1481.
common carrier as, 1454.
warehouseman is not, 1463.
railroad company is not against delay, 1484, 1555.
carriers limiting their liability as, 1495.
reasons for holding carrier liable as, 1497.
right to make special contract limiting liability as, 1500.
how to limit liability as, 1502.
limiting liability as by parol, 1503.
liability as usually terminated only by delivery, 1517.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INSURER—Continued.
notice to consignee terminating liability as, 1527.
when liability of carrier as ceases, 1527.
carrier is not against delays, 1555.
carrier of passengers is not, 1583, 1587.
how far carrier is against assaults by employes, 1638.
company is not of passenger's safety, 1640.
carrier is of money carried as baggage, 1647, n.
of merchandise carried as baggage, 1649.

INSURGENTS,
when are and when are not public enemies, 1458.

INTENT,
effect in interpreting railroad charter, 38, n.
not cause for forfeiture of charter, 51.
looking to in matter of subscription to stock, 103.
how affects consolidation, 324, 335.
as an element in enforcement of contracts, 346.
when malicious presumed, 730.
as affecting construction of land grants, 794.
as affecting matter of conditions, 940.
as affecting construction of conditions subsequent, 943.
when not necessary to constitute willfulness, 1257.

INTERCHANGE OF BUSINESS,
how affected by interstate commerce act, 1685.

INTERCHANGE OF FREIGHT,
rules and regulations governing, 1685.

INTEREST,
when allowed on dividends on preferred stock, 83.
paying on preferred stock out of profits, 86.
when may be collected on calls and assessments, 144.
when may be recovered on dividends, 311.
when agreement to pay on stock is void, 316.
paying on stock, earnings, 316.
out of what it should be paid, 482.
on overdue interest coupons, 486.
mortgage to secure bonds covers, 486.
payment of on bonds, 487.
when payment of is ratification of unauthorized mortgage, 492.
how failure to pay on bond affects the right to foreclose, 505.
arresting suit by payment of, 507.
foreclosure of mortgage for default in payment of on bonds, 507.
maintaining suit at law for, 514.
leasing road for purpose of paying, 522.
sale on default in payment of, 522.
default in payment of as ground for receiver, 545.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INTEREST—Continued.
appointing receiver where it remains long unpaid, 546.
receiver paying on first mortgage bonds, 567.
as affecting removal of causes, 651.
rate of on municipal aid bonds, 880, n.
effect of payment on aid bonds as an estoppel, 903.
allowance of in condemnation proceedings, 1006.
on damages where animals are injured, 1218.
on damages in fire cases, 1239.
right to recover in personal injury cases, 1824.

INTEREST-BEARING STOCK,
when may be issued, 86.

INTEREST COUPONS,
taxes on, 1, n.
guaranteeing, 482.
general nature of, 486.
character determined by bonds to which they are attached, 486.
limitation of action on, 486.
what action may be maintained on, 486.
when overdue bear interest, 486.
priority and order of payment, 487.

INTERESTED PARTIES,
who are within statute authorizing removal, 647.
contracts by, 348.

INTERLOCKING DEVICES,
at railroad crossings, 1122a.

INTERLOCKING SWITCHES,
excusing railroad companies from stopping at crossings, 1131.

INTERLOCUTORY ORDER,
appointment of receiver is, 558.
when appeal lies from, 1053.

INTERMEDIATE AGENTS,
power to appoint, 299.
agent for one purpose not for another, 300.
distinguished from servants, 301.

INTERMEDDLERS,
liability of railroad company for acts of, 1179g.

INTERMEDIATE CARRIER,
when not liable for overcharges, 1563.
duty as to succeeding carrier, 1432, n.
obligation to secure further transportation, 1449.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INTERPLEADER,
between parties claiming same dividend, 310.
right of corporation to maintain bill of, 615.
right to have cause removed to federal court, 647.
carrier filing where there are adverse claimants, 1544.

INTERSTATE CARRIER,
considering interests of in construing interstate commerce act, 1667.
compelling it to assume responsibility for other carriers, 1670.

INTERSTATE COMMERCE,
See DISCRIMINATION; INTERSTATE COMMERCE ACT; DOMESTIC COMMERCE.
state can not control, 25.
restricting foreign corporation from doing, 30.
states can not regulate generally, 658, 754, 1664.
power of states to regulate, 658, 690.
state can not regulate, 667.
how far police regulations may affect, 667.
inspection of hides consigned to points without the state, 662.
state railroad commissioners can not regulate, 689.
distinguished from domestic commerce, 690.
definition of, 690, 1671.
at what point it begins, 690.
effect of state statute forbidding running of trains on Sunday, 717, 1668.
soliciting business for interstate railroad is, 690, n.
what power to regulate includes, 725.
penal offense to interfere with, 727.
taxation of railroad engaged in, 735.
can not be obstructed by taxing power, 754.
power of federal government to regulate, 754, 1671.
states can not tax, 755.
states taxing railroad property used in, 755.
interference with by franchise tax, 758.
validity of license tax on, 759, n.
taxation on gross receipts from, 765.
distinguished from domestic commerce, 780, n.
statutes giving right of action for death do not interfere with, 1360.
contract limiting liability as to, 1438.
sleeping and parlor car companies as instrumentalities of, 1618.
running of trains on Sunday, 717, 1668.
carrier may not become a dealer in commodities, 1662c.
federal control and regulation of, 1662c.
prohibiting running trains on Sunday, 1668, 1673.
state statutes held to be regulations of, 1669.
state statutes held not to be regulations of, 1670.
interfered with by state orders compelling trains to stop at county seats, 1668an.
police power of state over, 1668a.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INTERSTATE COMMERCE—Continued.
two cent fare acts, 1670c.
effect of inaction of congress, 1671.
extent of federal power over, 1671.
action by state where congress has failed to legislate, 1671.
when railroad is interstate, 1673.
when commerce is domestic, 1673.
effect of difference in rates of transportation in opposite directions, 1677.
schedule as a whole to be considered on question of reasonableness of rates, 1684a.
determination of reasonableness of charges, 1684a.
state regulations of rates, 1670a.
illegality of holding corporations, 1674.
consideration of expenses on question of rates, 1684c.
consideration of profits on question of rates, 1684d.
reasonableness of separate rate, 1684f.
right to consider what traffic will bear on question of reasonableness of rate, 1684h.
interchange of cars without breaking bulk, 1685.
whether system considered as an entirety on question of rates, 1684e.
test of reasonableness of separate rate, 1684g.
schedules, 1684i.
transit privileges—milling in transit, 1686a.

INTERSTATE COMMERCE ACT,
obstruction of mails a violation of, 633.
effect on excessive charges, 1564, n.
effect on contracts for rebates, 1565, n.
governing rates of fare, 1593.
effect on passes, 1612.
source, nature, and extent of federal power over interstate railroads, 1663.
commerce clause of the federal constitution, 1664.
general view of, 1666.
state power as limited by commerce clause of federal constitution, 1665.
construction of, 1667.
what is continuous line within, 1667.
the police power as affected by commerce clause of the constitution, 1668.
state statutes held to be regulations of interstate commerce, 1669.
what is interstate commerce, 1671.
the interstate commerce commission, 1672.
railroads engaged in domestic commerce, 1673.
when a railroad is interstate, 1673.
conspiracies, 1674.
trusts, 1674.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INTERSTATE COMMERCE ACT—Continued.
monopolies, 1674.
commerce and manufacturers, 1674.
what is discrimination under, 1676.
what is undue preference under, 1676.
when preference not unjust, 1677.
when discrimination not unjust, 1677.
illustrative cases of discrimination, 1678.
definition of term "railroad" as used in, 1678.
meaning of term "transportation" in, 1678.
discrimination—undue preference, classification, 1678a.
undue preference mixed question of law and fact, 1679.
rebates as affected by, 1680.
effect on formation of connecting lines, 1681.
effect on terminal facilities, 1681.
effect on traffic contracts, 1681.
long and short hauls, 1682.
regulating charges for long and short hauls, 1682.
furnishing cartage as a violation of, 1682.
group rates, 1683.
reasonable charges under, 1684.
interchange of business, 1685.
joint tariffs under, 1686.
through rates under, 1686.
posting rate sheets or schedules under, 1686.
party rates, mileage and commutation tickets, 1687.
violations of, 1688.
indictment for violating, 1688.
injunction to prevent violation of, 1688, n.
remedies and practice under, 1688a.

INTERSTATE COMMERCE COMMISSION,
act creating is constitutional, 676, n.
power as to rates of freight, 1672.
not a legislative body, 1672.
not strictly a corporation, 1672.
not strictly a judicial tribunal, 1672.
has both executive and judicial duties, 1672, n.
nature and powers of, 1672.
authority over pooling contracts, 1675.
findings and orders—information and review, 1672a.
service of orders, 1672a.
conclusiveness of findings, 1672a.
right to enjoin information or orders of, 1672a.
power to establish routes and fix maximum rates and division thereof, 1672a.

INTERSTATE COMMERCE LAW,
See INTERSTATE COMMERCE ACT.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INTERSTATE COMMERCE RAILROADS,
taxation of, 753.

INTERSTATE FREIGHT,
what constitutes, 764.
validity of tax on, 764.
statutes prohibiting limitation of liability not applicable to, 1499.

INTERSTATE PASSENGERS,
power of state to provide for safety of, 1668, n.

INTERSTATE RAILROAD COMPANY,
imposing license tax on, 759.
validity of privilege tax on, 760.
when excise tax may be imposed on, 762.
taxing gross receipts of, 765.
source of federal power over, 1663.
taxation of, 1664, n.
what is, 1673.

INTERURBAN RAILROADS,
definition and characteristics, 9a, 745a, 1096ba.
whether railroad commission has power over, 683.
taxation of, 745a.
right to exercise eminent domain, 952b.
determination of right of interurban road to cross steam road, 1013b, 1135b.
sometimes classed as street railways, 1096a.
nature and characteristics, 1096bb.
cases illustrating mixed nature, 1096bc.
statutory classification of, 1096bd.
whether operation imposes additional servitude on highways, 1096be.
whether consent to operate on highway permits operation on part of highway in city, 1096bf.
incorporation and franchises of, 1096bf.
incorporation under railroad laws, 1096bg.
incorporation under street railway laws, 1096bh.
use of streets and highways, 1096bi.
forfeiture of franchises, 1096bj.
collateral attack on organization, 1096bk.
consolidation, leases and mortgages, 1096bl.
exercise of power of eminent domain, 1096bm.
duty to fence tracks, 1096bn.
liability for killing stock, 1096bn.
use of tracks by traveler, 1096bo.
operation of across other roads or highways, 1096bp.
look and listen rule at interurban crossings, 1096bq.
miscalculation of traveler at highway crossing, 1096br.
duty of motorman after traveler's peril is discovered, 1096bs.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INTERURBAN RAILROADS—Continued.
rights, duties and liabilities as carriers, 1096bt.
negligence of passengers, 1096bt.
duty to accept transfers, 1096bt.
as carriers of freight, 1096bt.
connection with other roads, 1096bu.
power to make traffic arrangements, 1096bu.
application of wrongful death statute to, 1096bv.
personal injuries to employes, 1096bw.
injury to health of interurban passengers from exposure, 1641a.
liability to passenger for injury in alighting at hazardous place, 1645a.

INTERVENING PETITION,
in condemnation proceedings, 1001.

INTERVENOR,
right to have cause removed to federal court, 647.

INTOXICATED PERSON,
duty of railway employes to, 1172.
duty at highway crossing, 1172.
carrier refusing to carry, 1577.
right to eject from train, 1637.

INTOXICATION,
penalty for retaining intoxicated employe, 724.
showing that of flagman, 1157.
as element of contributory negligence, 1172.
injury to intoxicated persons trespassing on track, 1265f.

IN TRANSITU,
See STOPPAGE IN TRANSITU.
when goods in may be attached, 626.

INTRUDER,
See TRESPASSERS.
duty to, 1305.
on passenger or street cars, 1581a.
on trains, duty to, 1581.
does not become a passenger, 1581.
injuring passenger, liability for, 1640.

INVALID BONDS,
subrogation of holder of, 910.
liability of municipality to purchaser of, 911.

INVENTIONS,
See APPLIANCES; MACHINERY.
duty in reference to adoption of new ones, 1224.
carrier not bound to adopt new and untried, 1588.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

INVESTMENTS,
when directors have power to make, 251.

INVITATION,
when implied, 1154.
what necessary to constitute, 1154.
effect of that by flagman, 1157.
safety of railroad yards for persons therein by, 1248, n.
distinguished from license, 1248, 1249.
implied for public to come upon railway premises, 1252.

INVITATION TO CROSS,
effect of, 1171.
what amounts to, 1171.
by open gate, 1157.

INVOICE,
as proof of title to goods, 1323, n.

IRON RAILS,
are usually real estate, 389, n.

IRREGULARITIES,
waiver of in corporate organization, 20.
effect of slight in organizing corporation, 36.
waiver of in making calls, 134, n.
effect of in issuing bonds, 485.
effect of in levying taxes, 751.
effect on question of public aid, 838.
act curing those in public aid proceedings, 843.
effect on grant of public aid, 844.
when will not defeat public aid, 871.
in granting public aid not ground for injunction, 872.
effect of in condemnation cases, 1018.

IRREPARABLE DAMAGES OR INJURY,
as affecting right to relief by injunction, 628.
as ground for injunction against strikers, 633.

IRREVOCABLE CHARTERS,
constitutional provisions against granting, 56, n.

ISSUES,
See PLEADING.
recovery limited to, 1694.
evidence must be responsive to, 1695.
instructions must be confined to, 1844.

J

JERKS OF TRAIN,
employes assuming risks of, 1290.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

JERKS OF TRAIN—Continued.
brakemen assuming risk of, 1296.
of freight train, risks assumed, 1582.
passenger assuming risks from, 1589.
when company not liable for, 1629.
instructions as to injuries caused by, to alighting passengers, 1841.

JEWELRY,
when is and is not baggage, 1647.

JOINT ACTION,
against railroad company and receiver for death of employe, 577, n.
of two tribunals in condemnation proceedings, 1014.
against railway and street car company for collision, 1178.
where insured property destroyed by fire, 1233, 1240.
against companies causing collision, 1635.
for loss of baggage, 1660.
against common carrier, 1692, n.

JOINT CARRIAGE,
partnership for, 1444.

JOINT DEFENDANTS,
to action in tort, 1693.

JOINT LIABILITY,
of lessor and lessee, 476.
of corporations, 617.
of company and contractor, 1064.
of connecting carriers, 1441, 1445.
for acts of common agent, 1447.

JOINT OWNERS,
transfer of stock owned by, 93.
signing petition for public aid, 858.
conveyance of right of way by, 934.
naming in petition in condemnation proceedings, 1028.
taking appeal in appropriation cases, 1053.

JOINT RATE,
does not effect a partnership, 1445.

JOINT TARIFFS,
under interstate commerce acts, 1686.

JOINT TENANTS,
as parties to condemnation proceedings, 1025, n.
in corporate stock, 93, n.

JOINT THROUGH RATE,
as affecting question of discrimination, 1677.
as affecting question of preference, 1677.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

JOLTS,

See JERKS OF TRAINS.

of freight train, risk of assumed, 1582.
passenger assuming risks from, 1589.

JUDGE,

See COURTS.

stockholder disqualified to serve as, 173.
when relationship to stockholder renders incompetent, 173, n.
authority to appoint receivers in vacation, 559.
relative of should not be appointed receiver, 561.
railroad commissioner is not, 675.

JUDGMENT,

effect of one recovered during pendency of forfeiture proceedings, 55.
in suit to forfeit corporate charter, 55.
sustaining one secured on calls and assessments, 140.
must be taken before stockholder's liability can be enforced, 179.
how one against corporation affects stockholders, 180.
against corporation, conclusive as to stockholders, when, 180.
assignee suing on, proving consideration, 181, n.
stockholder setting off against his liability, 186, n.
when must precede statutory liability of stockholders, 188.
against corporation, 188.
treasurer no power to confess for corporation, 292.
against consolidated company, 338, 339.
lien of mortgage superior to, 497.
purchaser at foreclosure sale not liable for vendor's, 526, n.
rule as to priority in payment of, 528, n.
right of receiver to bring action to set aside and vacate, 537, n.
failure to pay as ground for appointing receiver, 545, n.
appointing receivers where claims have not been reduced to, 548.
enforcing by appointment of receiver, 548.
right to set off in action by receiver of corporation, 569.
right of receiver to maintain action on, 570.
in suit brought against receiver without leave a mere nullity, 571, n.
in suit commenced before appointment of receiver, 574.
right of receiver to appeal from, 583.
receiver can not be compelled to take for his compensation, 584.
against ancillary receiver after his discharge not binding, 587, n.
effect of that on local assessments, 790.
only parties bound by, 914.
on municipal aid bonds, 918.
against trustee binding beneficiary, 1003, n.
conclusiveness of award of commissioners in condemnation proceedings, 1045.
in condemnation proceedings, 1045a.
abandoning condemnation proceedings after, 1033.
appeal from in condemnation cases, 1053.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

JUDGMENT—Continued.
amounting to waiver of lien, 1075.
effect of against one connecting carrier, 1452.

JUDGMENT CREDITOR,
when acquires priority, 189.
when should be party to foreclosure suit, 512.
right to have fraudulent foreclosure sale set aside, 529.
appointing receiver on application of, 548.
receiver suing as, 570.
right to maintain suit for dissolution, 609, n.
as party to condemnation proceedings, 1025.

JUDGMENT LIEN-HOLDERS,
notice to in condemnation cases, 1023.

JUDICIAL ACT,
when repeal of charter is not, 57.
levying taxes is not, 736, n.

JUDICIAL CONTROL,
over appraisers appointed to assess benefits and damages, 1015.

JUDICIAL DECISIONS,
becoming a part of statutes, 768.

JUDICIAL DETERMINATION,
forfeiture taking effect without, 47.
forfeiture of corporate franchise without, 48.

JUDICIAL INVESTIGATION,
legislature can not shut out, 666.

JUDICIAL KNOWLEDGE,
when courts will not take of authority of corporate officers, 208.
of duties required of president, 284.
of nature and hazards of railroad business, 298.
as to authority of subordinate agents, 299.
of powers of station agent, 303.
that persons cross railway tracks in safety, 1165.
of county limits and geographical features, 1215.
as to employment of telegraph operators, 1328.
of course of freight carriage, 1401.
as to running of freight trains, 1527.
of what sleeping-car companies undertake, 1617.
of what is reasonable time for train to stop, 1628, n.
in actions against railroad companies generally, 1689h.
of jerking motion of trains, 1630.
as to system of baggage checks, 1655.
of municipal ordinances, 1698.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

JUDICIAL POWERS,
can not be conferred upon administrative and ministerial officers, 677.
investing railway commission with, 677.
railroad commission possesses quasi, 683.
legislature has none, 705, 983.

JUDICIAL PROCEEDING,
when necessary to forfeit land grants, 801.

JUDICIAL QUESTION,
See QUESTIONS OF LAW.
forfeiture of corporate charter, 54.
in reference to police power, 666.
how far question of tariff rates is, 691.
propriety of exercising eminent domain is not, 952.
when measure of compensation is, 983.
question of compensation is, 1011.

JUDICIAL SALE,
See SALES.
statute must be strictly followed, 72.
of corporate franchises, 72.

JUDICIAL TRIBUNAL,
interstate commerce commission is not, 1672.

JUDICIARY,
power over police regulations, 664.

JUNIOR LIEN-HOLDER,
when may be admitted as party to foreclosure suit, 512.
can not compel foreclosure of prior mortgage, 512, n.

JUNIOR MORTGAGEE,
denying validity of senior mortgage, 513.
right to secure appointment of receiver, 549.
asking that receiver borrow money to pay interest on bonds, 549.

JURISDICTION,
railway company citizen for purposes of, 21.
confining corporation to a single one, 22.
citizenship affecting, 23, 916.
of incorporating state over foreign property, 26, n.
to appoint receiver over road in two states, 27.
to sell entire road, 27.
how affected by consolidation, 28.
in quo warranto proceedings, 54.
of equity to put mortgage trustees in possession, 514, n.
in equity to appoint receivers, 538, 552.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

JURISDICTION—Continued.
conflict of in appointment of receivers, 553.
how affected by time of bringing suit, 553.
how affected by priority of possession in appointing receivers, 553.
what necessary to confer in applications for appointment of receivers, 553.
extra-territorial to appoint receivers, 554.
receivers maintaining suits by reason of comity, 570.
duty of garnishee to question, 625.
amount as determining that of federal courts, 646, n.
of federal courts as affected by amount in controversy, 648.
right to add counterclaim to plaintiff's claim to give federal court, 648, n.
corporation resident of state of creation notwithstanding incorporation elsewhere, 649.
how affected by application for removal of causes, 654.
federal courts decide on their own, 654.
when attaches in removal of causes, 654.
burden on petitioner to show in removal of causes, 655, n.
of railroad commissioners, 683, 684.
created by implication, 683.
of railroad commission not extended by implication, 684.
to enforce orders of railroad commissioners, 697.
effect where railroad commissioners exceed, 706.
of petition for railway aid, 865.
enjoining railway aid bonds for want of, 893.
no estoppel where municipal officer has none, 902.
of federal courts in reference to municipal aid bonds, 916.
diverse citizenship as ground of in federal courts, 916.
can not be conferred by consent, 1014.
when must affirmatively appear, 1014.
in appropriation cases, 1014.
how affected by effort to agree in appropriation cases, 1027.
when must be shown by report of commissioners, 1041.
when objections to may be made, 1041.
how objections to raised on appeal, 1053, n.
can not be ousted by contract, 1059.
to condemn railway crossing, 1119.
in cases where animals are injured, 1215.

JURISDICTIONAL FACTS,
decision of local officers as to, 865.
effort to agree, 1027.
averring in condemnation cases, 1028.

JURORS,
when stockholders disqualified to serve as, 173.
qualification of, 1017.

Digitized by Google

JURORS—Continued.
waiving objections to competency of, 1017.
employes not competent as, 1017, n.
competency where county a party, 1017, n.
oath to be taken by, 1018.
when there may be peremptory challenge, 1024, n.
meeting in appropriation cases, 1034.
party furnishing entertainment to, 1046.
misconduct of in appropriation cases, 1046.

JURY,
See QUESTIONS OF FACT; QUESTIONS OF LAW.
ratification of subscription is a question for, 104.
intention as to location of terminus question for, 124.
deciding whether notice of calls was given, 141.
can not pass on reasonableness of corporate by-laws, 193, 202.
when may find that by-law has been adopted, 195.
determining whether agent has exceeded his authority, 198, n.
determining reasonableness of rules and regulations, 202.
exemption of corporate representatives from service on, 205.
can not prescribe penalties, 679.
trial of cases against receivers by, 573.
trial by after removal to federal court, 656.
fixing amount of penalty, 714.
can not fix location, 920.
when abandonment of location a question for, 931.
determining value in condemnation proceedings, 995, 1038.
what it may consider in fixing damages in condemnation proceedings, 996.
when assessment of benefits need not be left to, 1012.
what is meaning of term, 1012.
in condemnation proceedings, 1012.
challenge to the array, 1017.
determining question of public necessity, 1021.
summoning in appropriation cases, 1024.
not bound by opinions of witnesses, 1038.
viewing premises in appropriation cases, 1040.
when negligence a question of fact for, 1095, 1150, 1156, 1224, 1244.
determining whether highway crossing has been restored, 1105.
as to whether crossing in proper repair a question for, 1112.
deciding whether or not it was negligence to omit signals, 1150.
determining what constitutes ordinary care, 1156.
when ordinary care a question for, 1156.
deciding whether gate is necessary, 1157.
determining whether speed was excessive, 1160.
when contributory negligence a question for, 1163.
deciding whether child guilty of contributory negligence, 1172, 1261.
denying right of trial by, 1183.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075: *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

JURY—Continued.
determining question of what is depot ground, 1194.
determining what is sufficient cattle-guard, 1198.
when may determine places where fence required, 1202.
question of negligence in adopting machinery, 1224.
determining question of negligence in allowing combustibles to accumulate, 1226.
determining question of proximate cause in fire cases, 1231.
submitting question of contributory negligence in fire cases to, 1238.
negligence as question for in fire cases, 1244.
determining discretion of child, 1261.
question of child's contributory negligence for, 1261.
considering life and mortality tables, 1378.
when may infer contract imposing extra-terminal liability, 1435.
taking case from where there is only one inference, 1642, 1702.
determining what is baggage, 1648.
plaintiff exhibiting injured part to, 1699.
experiments and practical tests before, 1700.
withdrawing case from, 1702.
instructions must not invade province of, 1846.

JURY TRIAL,
when allowed in condemnation proceedings, 951.
when not allowed in appropriation cases, 1010.
waiver of in appropriation cases, 1012.

JUST COMPENSATION,
See COMPENSATION AND DAMAGES IN CONDEMNATION PROCEEDINGS.

K

KICKING CARS,
negligence in, 1162.

KILLING LIVE STOCK,
See DUTY TO FENCE.

KNIVES,
when are not baggage, 1647, n.

KNOWLEDGE,
See NOTICE; JUDICIAL KNOWLEDGE.
when does not amount to contributory negligence, 1271.
of defects barring recovery, 1288, n.
of defects on part of employe, 1311.
of uncovered ditches and drains, 1272.
when may be inferred on part of employe, 1312.
of defects as contributory negligence, 1345, n.
of general notice limiting liability, 1501.
effect where carrier has of danger, 1584.
how to aver, 1697.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

L

LABOR,
issuing receiver's certificates to pay for, 590.
when claim for prior to mortgage, 1072.

LABORER,
who regarded as, 186.
protection of by six months' rule as to preferred claims, 528.
when may be paid out of body of property, 528.
preference on insolvency and dissolution, 605.
distinguished from subcontractor, 1061.
rights of those helping to construct road, 1065.
when stockholders liable to, 1065.
contractor giving bond to secure, 1065.
lien for unpaid wages, 1065.
statutes giving preference to, 1067.
who are within meaning of lien laws, 1070.
time-keeper is not within lien law, 1070, n.
when fellow-servant with trainmen, 1332.

LABORERS' LIENS,
against street railways, 6.
for unpaid wages, 1065.

LABOR ORGANIZATION,
compelling employe to withdraw from, 1336.

LACHES,
See DELAY; ESTOPPEL.
effect in suit to forfeit corporate charter, 52.
in failing to take advantage of fraud, 132.
barring remedy on forfeiture of stock, 154, n.
defeating stockholder's right to question consolidation, 328.
effect on rights under ultra vires contract, 373, n.
preventing relief on ultra vires contracts, 377.
of stockholders in objecting to lease, 442, n.
barring right to attack fraudulent foreclosure sale, 529.
effect of by minority bondholders, 534.
defeating right to a receiver, 550.
as affecting right to attack receiver's certificates, 591.
in presenting receiver's certificates, 597.
as affecting right to injunction, 629, 872.
defeating right to enjoin laying of road in street, 630.
defeating right of stockholder to an injunction, 634.
as affecting right to cancel land patent, 803.

LADIES,
providing separate cars for, 200.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LAND,

See REAL ESTATE; EMINENT DOMAIN.
implied power of railway companies to condemn, 41.
condemning for abutments to bridges, 42.
condemning for water tanks, shops, etc., 42.
corporation taking and conveying, 42.
condemning for branch or lateral road, 42.
company can not speculate in, 374.

LAND GRANTS,
when not covered by general mortgage, 495.
taxation of, 779.
ground upon which public aid to railroads rests, 792.
construction of is liberal, 792.
meaning of the term, 793.
aid to railroads by, 793.
construction of, 794.
have effect of legislative enactments, 794.
upon conditions precedent or subsequent, 794.
illustrative cases of construction of, 795.
title in, 795.
rule where there is conflict in, 795.
effect of, 796.
time from which they are effective, 796.
taking advantage of breach of condition in, 796.
when change of route may be made under, 796.
patent not necessary to company, 796.
conflicting with homestead claims, 796.
illustrative cases of defect of, 797.
state imposing conditions in, 797.
effect on reserved lands, 798.
when indemnity lands allowed, 799.
priority of rights, 800.
forfeiture for breach of conditions, 800.
reverting to United States, 800.
breach of condition in, 801.
forfeiture, 801.
proceeding to divest title conferred by, 801.
who may object to breach of conditions in, 801.
legislative declaration of forfeiture, 802.
cancellation of grants and entries, 803.
effect of staking and surveying line, 804.
aid to two companies by same grant, 805.
when government estopped by, 806.
rule where state renders performance of conditions impossible, 807.
partial failure to perform conditions, 808.
rights of trespasser as against, 808.
notice by possession, 809.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LAND GRANTS—Continued.
bona fide purchasers as against, 809.
effect of reservation of right to use railroad as highway, 811.
injunction to protect rights in, 1810.

LAND PATENTS,
suits to cancel, 803.
how laches affects right to cancel, 803.

LANDLORD AND TENANT,
See LEASES.
lessee of railroads, when railroad company, 1.
measure of damages to lessee of land taken, 1003a.

LANDOWNER,
See ABUTTERS.
right to petition for change of location, 930.
old location reverting to, 931.
enforcing agreement to purchase, 935.
right to compensation for additional servitude, 977.
when telegraph line not additional burden to, 977.
when entitled to farm crossings, 996.
when track becomes property of, 998.
damages to which he is entitled, 998.
authorizing entry, effect of improvements made under, 998, n.
estopped by accepting damages, 1004, n., 1049, 1052.
recovering damages caused by negligent acts, 1005.
when entitled to interest in condemnation proceedings, 1006.
reasonable time to enforce compensation and damages, 1007.
waiving right to claim compensation and damages, 1008.
naming in petition for condemnation, 1028.
notice to of meeting of commissioners in condemnation proceedings, 1034.
testimony of in appropriation cases, 1037.
remedies in appropriation cases, 1049.
when estopped to eject railroad company, 1049.
estoppel by accepting compensation and damages, 1049, 1052.
when may eject company from street, 1049
injunction as remedy for against unlawful proceedings, 1049.
when estopped by giving credit, 1052.
rights where railroads constructed in streets, 1086.
what landowners are entitled to private crossings, 1139.
how conveyance of right of way affects right to private crossing, 1138.
estoppel to claim private crossings, 1139.
when entitled to underground crossing, 1139.
securing private crossings under statutory authority, 1142.
putting in private crossing at expense of company, 1142.
right to locate private crossings, 1143.
number of private crossings entitled to, 1143.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LANDOWNER—Continued.
what is sufficient private crossing for, 1144.
right to subways and passways under tracks, 1147.
building fence at railway company's cost, 1181.
notifying company of defects in fence, 1185.
when must repair fences, 1185.
fences erected by, 1187.
agreeing to erect fences, 1188.
when liable for stock killed, 1188.
waiving duty to fence, 1189.
duty to fence at private crossings, 1193, n.
duty to close gates and bars, 1200.
contributory negligence in leaving gates and bars open, 1209.
effect where he has knowledge of defective fences, 1209.
objecting to clearing off right of way by fire, 1227.
agreeing to let fires burn, effect, 1231.
not bound to remove combustibles, 1238.
stacking grain and hay near right of way, 1238.
not bound to put out fire breaks, 1238.
duty to his licensee, 1250.

LAND-SLIDES,
liability for injuries to employes caused by, 1269.

LARCENY,
of railroad ticket, 734.

LAST CLEAR CHANCE,
See CONTRIBUTORY NEGLIGENCE.
application of doctrine to interurban railways, 1096bs.
doctrine applied to street railway operation, 1096cq.
application of doctrine to highway crossing injuries, 1175.

LATENT DANGERS,
duty to warn employe of, 1283.

LATENT DEFECT,
what is regarded as a, 1275.
employer not liable for, 1275.
inspecting foreign cars for, 1279.
in brakes, 1296.
rule under employers' liability acts as to, 1348.
carrier not liable for, 1587.

LATERAL ROAD,
See BRANCH LINES AND ROADS.
condemning land for, 42.
building optional with company, 42.
location of, 923.
property may be condemned for, 960, 961.
as public highway, 961.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LATERAL SUPPORT,
disturbing in constructing line, 937.
when interference with constitutes a taking, 977.
liability for interfering with, 1005.
damages from interfering with, 1057.
excavation for right of way injuring, 1057b.

LATEST IMPROVEMENTS,
carrier not bound to adopt, 1588.

LAW AND FACT,
See QUESTIONS OF FACT; QUESTIONS OF LAW.
when contributory negligence a mixed question of, 1163.

LAW OF PLACE,
how affects contracts, 1494.
in determining liability of common carriers, 1494.
effect on contracts limiting liability, 1506.

LAW OF THE FORUM,
governs remedy, 1365.
effect on contracts limiting liability, 1506.

"LAW OF THE LAND,"
meaning of the term, 666.

LAWS,
equal protection of, 21, n.
applicable to foreign and domestic corporations, 26.
no effect beyond jurisdiction, 27.

LAWS OF THE UNITED STATES,
removing causes arising under, 652.

LEAKAGE,
when carrier liable for loss by, 1481.
stipulating against liability for loss by, 1513.
effect on freight charges, 1561.

LEASE,
domestic corporation operating under, 29.
unauthorized, cause for forfeiture, 49.
when stockholders must consent to, 252.
delegation of power to execute, 258.
effect of attempting to substitute for consolidation, 323.
distinguished from contract for use of part of road, 357.
setting aside because ultra vires, 372, n.
power to make, 427, 430.
what the legislature may prescribe, 428.
power to make not implied, 429.
legislative authority requisite, 429.
general rule as to power to make, 430.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LEASE—Continued.
statutory authority necessary, 430.
essentials of valid lease, 433, n.
foundation for rule authorizing, 431.
power to accept, 432.
statutes authorizing not aided by construction, 433.
statutes authorizing strictly construed, 434.
construction of statutes authorizing, generally, 435.
what power to make includes, 435.
what is included in authority to execute, 436.
scope of the authority to make, 437.
power given one company to lease implies like power in other, 436.
statutes authorizing to be strictly followed, 437.
are not favored, 438.
consent of stockholders, 439.
concurrence of stockholders necessary, 440.
when directors may authorize without consent of stockholders, 440.
what number of stockholders must assent to, 441.
consent of stockholders, 442.
stockholders' waiving formal execution of, 442.
statute authorizing refers only to domestic corporations, 444.
where parties are corporations of different states, 443.
authority to execute has no extra-territorial effect, 444.
rights of foreign lessors, 445.
to connecting lines, 446.
to competing lines, 447.
when those of competing lines are void, 447.
effect of unauthorized, 448.
construction of, 449.
dependent and independent contracts, 450.
how covenants in are enforced, 450.
contract to permit use of track is not, necessarily, 451.
distinguished from trackage contracts, 451.
under guise of traffic contract, 452.
effect and construction of contracts granting right to use, 453.
effect of part performance of, 454.
duration of, 455.
effect on taxation, 456.
public duties of lessee under, 457.
duties of lessee to operate road, 458.
lessee not liable for wrongs committed prior to, 459.
effect on rights of creditors, 460.
power of lessee to lay water mains, 461.
rights and duties to which lessee company succeeds, 461.
lessee not liable on lessor's contract obligations, 462.
contract obligations of lessor, 462.
recovery of rent under unauthorized lease, 463.
right to rentals under ultra vires lease, 463.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LEASE—Continued.
improvements of road by lessee operating under unauthorized, 464.
receiver's power to make, 465.
liability of lessor on unauthorized, 466.
liability of lessor for injuries caused by negligence of lessee, 467.
when lessor liable for lessee's negligence in operating the road, 468, 469.
control reserved by lessor, 470.
illustrative cases of liability of lessee under, 471.
liability of lessor to employes of lessee, 472.
liability of lessor under unauthorized, 473.
liability of lessee for injuries caused by negligence of lessee, 474.
contracts of the lessee, 475.
joint liability of lessor and lessee, 476.
liability of company where it permits use of track by another company, 477.
ratifying fraudulent, 478.
enjoining execution of unauthorized, 479.
included in mortgage of after-acquired property, 497.
not included in power to mortgage, 519.
for purpose of paying interest on bonds, 522.
authority of receiver to execute, 567.
court authorizing receivers to secure on road, 582.
when receiver bound by terms of as assignee of company, 582.
how covenants in affected by dissolution, 611, n.
when stockholders may enjoin execution of, 634.
suit to set aside not removable, 652.
effect of one executed without statutory authority, 931.
effect of conveyance by either lessor or lessee, 934.
condemning property held under, 963.
of right of way, 938b.
of interurban railways, 1096bl.
duty as between lessor and lessee to maintain highway crossings, 1114c.
how affects appropriation cases, 1025.
ejectment of company on expiration of, 1049, n.
liability for fire where road is operated under, 1237.
by sleeping car company, 1616, n.

LEASED LINES,
liability of receivers for rentals on, 582.
receivers for, 582.
exemption from taxation does not apply to, 747.

LEAVE TO SUE,
See RECEIVERS.
when receiver must obtain, 537.
receivers, when and how must be obtained from court, 537, 571, 573.
receivers, effect of failure to obtain, 572.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LEAVE TO SUE—Continued.
receivers, when must be alleged in complaint, 572.
receivers, when to raise objection that leave has not been granted, 572.

LEGAL DISABILITIES,
effect on release, 937.
effect on power of eminent domain, 963.

LEGAL PROCEEDINGS,
exempting carrier from liability for failure to deliver, 1461.
carrier notifying shipper of, 1461.

LEGAL PROCESS,
duty of carrier where goods are seized under, 1537.
seizure under excusing delivery by carrier, 1537.

LEGAL STATUS OF CORPORATION,
as an individual, 21.
as a citizen, 21.
confined to jurisdiction creating it, 22.
foreign business, 22.
how affected by comity, 22.
citizenship, 23.
removal of causes, 23.
residence and domicile, 24.
jurisdiction, 24.
federal corporations, 25.
railroad extending into more than one state, 26.
control of railroad extending into more than one state, 27.
formed by consolidation, 28.
citizen of state granting charter, 29.
as affected by license, 29.
foreign corporations, 30.
admitting foreign corporations to state, 30.
railroads as property, 31.
railroads as monopolies, 32.
railroads as public highways, 33.

LEGISLATIVE ACT,
recognizing corporation is not a charter, 29.

LEGISLATIVE AUTHORITY,
See LEGISLATIVE POWER; LEGISLATURE.
to individual to operate road, 1.
essential to creation of corporation, 15.
to sell railroad property, 21.
when essential to sale of corporate property, 70, n.
to purchase stock in another company, 95.
necessary to execution of leases, 429.
necessary to acceptance of lease, 432.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

LEGISLATIVE AUTHORITY—Continued.
for execution of mortgage, 488.
requisite to issue of municipal aid bonds, 876.
over railway companies, 659.
limits sometimes unduly extended, 661.
can not be delegated, 675.
authority to make regulations not a delegation of, 678.
delegation of in reference to public aid, 821.
scope of in reference to public aid, 825.
illustrative cases of scope of in reference to public aid, 826.
definition of want of, 884.
as to creation of tribunal for condemnation proceedings, 1013.

LEGISLATIVE CONTROL,
of railroad as private corporation, 2.

LEGISLATIVE DISCRETION,
in taxation of railroad property, 740.
when courts can not control, 868

LEGISLATIVE INTENTION,
as affecting consolidation, 28.

LEGISLATIVE QUESTIONS,
See CONSTITUTIONAL QUESTIONS.
in reference to police power, 666.
propriety of exercising power of eminent domain is, 952.

LEGISLATIVE RECOGNITION,
when equivalent to corporate charter, 52, n.

LEGISLATIVE TRIBUNAL,
interstate commerce commission is not, 1672.

LEGISLATURE,
ratifying defective corporate organization, 20.
adopting corporation as citizen, 23.
giving authority to foreign corporations, 26.
granting exclusive franchise, 32.
granting corporate franchises, 34.
power to amend or repeal charter, 43, 57.
granting new charter, 46.
modifying charters, 46.
regranting franchises, 47.
repealing corporate charters, 56.
creating new corporation on repeal of charter, 59.
effect of repeal of charter by, 59.
power to revoke licenses, 69.
granting power to sell franchises, 71.
reserving power to amend charter, 252.
must authorize consolidation, 322.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LEGISLATURE—Continued.
power to authorize consolidation with foreign corporations, 339.
power to authorize leases, 427.
what it may prescribe in reference to leases, 428.
ratifying ultra vires mortgage, 493.
can not validate fraudulent foreclosure sale, 529.
power to provide for reorganization, 531.
power to appoint receivers, 559.
consenting to company occupying streets, 630.
regulating rates of freight, 659.
power over public corporations, 662.
control over police power, 663.
power to declare a thing a nuisance, 664, n.
no power to adjudicate questions, 666.
power to dispense with notice, 666.
determining questions of public policy, 666, n.
power to compel company to maintain lights, 668.
power to impose penalties, 669.
regulating speed of trains, 670.
can not authorize unjust discrimination, 679.
prescribing qualifications of railroad commissioners, 681.
seeking intention of in construing statutes, 683.
power to compel establishment of stations, 694.
has no judicial power, 705.
power over railroad companies, 709.
providing for fines and penalties, 709.
power to prescribe regulations, 721.
power in reference to taxation, 736.
power to determine policy and expediency, 736.
choosing methods of taxation, 776.
declaring forfeiture of land grant, 802.
when may aid railway companies, 812.
constitutional power to authorize municipal aid, 814, 824.
scope of power in reference to public aid, 825.
right to choose means and methods, 837.
control over municipalities, 837.
authorizing public aid by donations and subscriptions, 841.
power to validate township aid bonds, 843.
power to ratify grant of public aid, 844.
when may enact special laws, 845, n.
when can not validate bonds, 845.
power to change boundaries of municipal corporations, 853.
control over municipal corporations, 868.
may organize taxing districts, 878.
making municipal aid bonds non-negotiable, 882.
fixing location of road, 919.
fixing termini of road, 919.
authorizing condemnation of railroad property and franchises, 922.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LEGISLATURE—Continued.
confirming location of road, 926.
authorizing change of route, 930.
authorizing conveyances in advance of organization, 933.
regulating exercise of power of eminent domain, 950.
power to determine question of necessity for exercise of eminent domain, 952.
power over question of eminent domain, 952.
delegating power of eminent domain, 953.
what property it may authorize condemned, 963.
authorizing condemnation of property of other corporations, 964.
authorizing condemnation of property devoted to public use, 966.
fixing title or interest acquired under power of eminent domain, 972.
prescribing width of right of way, 973.
authorizing condemnation of right of way of other company, 974.
does not possess judicial power, 983.
fixing time in which damages shall be paid, 1007.
power as to constitution of tribunals in appropriation proceedings, 1012.
creating tribunals to assess benefits and damages, 1012.
prescribing notice in appropriation cases, 1019.
authority over question of notice, 1020.
determining political questions, 1021.
prescribing requisites of petition in appropriation cases, 1028.
regulating mode of taking appeals, 1053.
regulating appeals and questions to be considered on, 1053.
power and control over streets, 1076.
granting to railroads use of streets, 1076.
authorizing use of tracks, 1084.
abolishing and changing grade crossings, 1109.
discouraging grade crossings, 1122.
requiring company to fence its track, 1181, 1182, n.
changing law of master and servant, 1334.

LENGTH OF RAILWAY,
stating in articles of incorporation, 18, n.
stating in charter, 36.
giving approximate length in charter sufficient, 36.

LESSEE,
See LEASE.
beginning construction of road within time limited, 47, n.
assessing road for taxation against, 456.
public duties of under authorized lease, 457.
not liable for wrongs prior to lease, 459.
when acquires rights prior to creditors, 460.
rights and duties acquired under authorized lease, 461.
liability for negligence in operating road, 474.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LESSEE—Continued.
contracts of, 475.
joint liability with lessor, 476.
when should be made party to application for receiver, 557.
liability of receiver as, 580.
liability of consolidated company for acts of, 722.
right of, to maintain injunction, 632, n.
how affected by landlord's conveyance, 934.
when may exercise right of eminent domain, 958.
damage to by condemnation proceedings, 995.
notice to of condemnation cases, 1023.
as party to condemnation proceedings, 1025.
when liable for compensation and damages, 1048.
right to maintain action of trespass, 1049.
duty to repair railway crossing, 1134.
duty to grant private crossings, 1142.
liability for injuries to animals, 1208.
recovering for damage by fires, 1233.
recovering for buildings burned, 1233.
liability for damage by fires, 1237.
when lessor liable for torts of, 1237.
liability for negligence of, 1573.

LESSOR,
See LEASE.
when road should be assessed against for taxation, 456.
when lessee liable for debts of, 460.
liability on unauthorized lease, 466.
when liable for injuries caused by negligence of lessee, 467.
when liable for negligence in operating the road, 468.
liability for lessee's negligence, 469, 1573.
reserving control of road, 470.
general liability under unauthorized lease, 473.
joint liability with lessee, 476.
consenting to receivers operating leased lines, 582.
when liable for injuries to animals, 1208.
when liable for lessee's torts, 1237.

LEVEE,
right to construct on navigable stream, 977.

LIABILITY,
See CONTRACTS LIMITING LIABILITY.
of corporation fixed in special charter, 16.
when purchaser at foreclosure sale takes free from, 526.
limiting by contract, 1438.

LIBEL,
railroad company liable for, 214, n.
corporation may be liable for, 617, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LIBERAL CONSTRUCTION,
See STATUTORY CONSTRUCTION; STRICT CONSTRUCTION.
of remedial statutes, 715.
of statute providing for indemnity lands, 799.
of statutes authorizing liens, 1067.
to employers' liability acts, 1337.
of interstate commerce act in favor of the public, 1667.

LICENSE,
effect on citizenship of railroads, 29.
state revoking, 29.
distinguished from franchise, 65, 69.
not protected as a franchise, 66.
when becomes a contract, 66.
when revocable, 60.
to use tracks of another company, 453.
acquiring right of way by, 932.
rights acquired by entry under, 949.
of elevators on rights of way, 659, n.
incidents that pass with it, 949.
when may be revoked, 949.
enjoining revocation of, 949.
extent of easement acquired under, 949.
placing parties in statu quo on revocation, 949.
revoking after money has been spent on faith of, 949.
what amounts to notice of, 949.
when estoppel does not arise under, 949.
effect of one in writing and based on valuable consideration, 949.
holder of as party to condemnation proceedings, 1025.
right to use streets, 1079.
risks and perils accompanying, 1154, 1250.
duty at crossings by, 1154.
buildings located on right of way under, 1235.
defined, 1248.
distinguished from invitation, 1248, 1249.
when implied, 1248.
taken subject to perils, 1250.
willful or wanton injuries, 1250.
when implied to cross railway tracks, 1252.
mere acquiescence does not amount to, 1252.
when inferred from frequent use, 1252.
to use yard and private tracks, 1258.
liability for loss of goods on premises under, 1493.

LICENSEES,
duty owing to, 215, 1154, 1250.
injury to at private crossing, 1151.
upon railway premises, 1248.
city firemen and policemen as, 1248.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LICENSEES—Continued.
who are, 1248.
definition of, 1248, n.
difference between invitation and license, 1249.
duty to look out for on the track, 1250.
liability for injuries to, 1251.
injured on defective platform, 1251.
employe using "speeder" in his own business, 1251, n.
care in operation of train towards persons at work on track, 1265b.
when employes are, 1251, 1303.
company not bound to block switches against, 1258.
duty to children who are, 1259.
duty to those at stations, 1641.
injury to persons injured in loading and unloading cars, 1265c.
injuries to employes of independent contractor, 1265d.
wife of station agent assisting husband, 1305.
instructions in actions for injuries to, 1849.

LICENSE FEE,
for use of streets, 1081.

LICENSE TAX,
definition of, 759.
imposing on interstate railroad, 759.

LICENSOR,
duty owing from to licensee, 1250.

LIEN,
See MECHANICS' LIENS.
of corporation on stock, 79, 99.
of preferred stock on franchise, 86, n.
to what one on stock attaches, 100.
how to enforce against stock, 310.
priority, 336, 1071, 1072.
effect of consolidation on, 336.
when purchaser takes bonds subject to, 484.
what secured by railroad mortgage, 495.
mortgage lien only attaches to mortgagor's interest, 497.
when purchaser at foreclosure sale takes free from, 526.
when lien of mortgage of after-acquired property attaches, 497a.
sale on foreclosure subject to valid ones, 526.
how affected by appointment of receiver, 563.
of judgment in suit brought before appointment of receiver, 574, n.
priority between receivers' certificates, 592.
priority of that of receiver's certificates, 590.
created by receiver's certificates, 591, 592.
how that of receiver's certificates enforced, 592.
statutory provisions as to that of receiver's certificates, 593.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LIEN—Continued.
estoppel to question that of receiver's certificates, 596.
tax on capital stock lien on realty, 745, n.
of assessment for taxes, 745.
created by local assessments, 789.
against right of way, method of enforcing, 790.
when state has for guarantying bonds, 813.
when subcontractor entitled to, 1061.
of laborer for unpaid wages, 1065.
when none on street railway, 1067.
statute authorizing, 1067.
for what it may be obtained, 1068.
not given for groceries and food, 1068.
can be none for material not delivered, 1068.
for clearing road-bed, 1068.
upon what it may be acquired, 1069.
road can not be sold in parcels to satisfy, 1069, 1071.
who may acquire, 1070.
who are laborers within meaning of lien laws, 1070.
mode of acquiring, 1071.
notice as prerequisite to acquiring, 1071.
time in which to take, 1071.
filing notice of with certain officer, 1071.
enforcing against entire road, 1071.
priority of, 1071.
when lienholders share pro rata, 1072.
when prior to mortgage, 1072.
assignability of, 1073.
enforcement of, 1074.
parties to action for enforcement, 1074a.
verification, 1074a.
time for enforcement, 1074a.
waiver of, 1075.
estoppel to enforce, 1075.
when subcontractor estopped from enforcing, 1075.
of connecting carriers for freight, 1451, 1569, 1570.
right of carrier to, where bill of lading assigned, 1429.
when connecting carrier not entitled to, 1451.
company's can not be divested by attachment, 1538.
carrier waiving that for freight charges, 1543, n.
for feeding and watering live stock, 1554.
when allowed for demurrage, 1567, 1567a.
for import duties paid, 1570.
superior to claims of carrier, 1570.
for freight charges generally, 1570.
may include charges of connecting carrier, 1570.
confined to specific goods, 1570.
enforcing for freight charges, 1571.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LIEN—Continued.
none on passenger for his fare, 1603.
on baggage for charges for carriage, 1662.

LIEN OF CARRIER,
See LIEN.
enforcing by sale of goods, 1571.
statute providing for enforcement, 1571.
waiver and loss of, 1572.
reserving by conditional delivery, 1572.
not waived where delivery secured by fraudulent representations, 1572.
how affected by part delivery, 1572.

LIEN ON STOCK,
when not lost, 100, n.
waiver of, 101.
enforcement of, 101.
method of enforcing, 101.

LIENHOLDERS,
when should be made defendants in suit to foreclose, 512.

LIFE INSURANCE,
effect on injuries causing death, 1378.

LIFE TABLES,
as evidence, 1378, 1813.
instructions as to effect of, 1378, 1813.
laying foundation for admission of, as evidence, 1813.

LIFE TENANT,
right to dividends, 307.
right to stock purchased with surplus earnings, 307.
duties of in reference to stock, 308.
duty to pay calls and taxes, 308.
when can convey to railroad company, 934.
rights under condemnation proceedings, 1003.

LIGHT AND AIR,
abutting owner's right to easement of, 1085.

LIGHT-HOUSES,
securing land for under power of eminent domain, 950.

LIGHTS,
compelling company to maintain, 668, 724.
duty to maintain at crossings, 1114a.
companies compelled to light tracks, 668.
duty to have on cars, 1159.
duty to place in station buildings, 1590, 1590a.
duty to provide at stations and platforms, 1641.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LIMITATION,
See CONTRACTS LIMITING LIABILITY.
railway company affected as "person," 21, n.
on corporate grant, 39.
on right to sell corporate property, 70.
upon the police power, 664.
imposing where company acts as private carrier, 1397.
when carrier may impose upon its liability, 1454.
effect of those on face of ticket, 1593.
on railroad ticket, generally, 1598.

LIMITATION OF ACTIONS,
in condemnation proceedings, 1049b.
of actions causing death, 1373.
as defense by stockholders, 181.
time for enforcement of construction liens, 1074a.

LIMITED TICKET,
company extending time of, 1598.
what amounts to waiver of limitation, 1598.
when journey regarded as commenced, 1598.
construed strictly against the carrier, 1598.
right of company to issue, 1598.
usually non-transferable, 1599.
mileage ticket as, 1600.

LIMITING LIABILITY,
See CONTRACTS LIMITING LIABILITY.
by stipulation in pass, 1606.
validity of stipulation in pass limiting liability, 1608.
for loss of baggage, 1661.
pleading, 1716.
evidence of shipper's assent to stipulations, 1723.

LINE,
contracting for carriage of goods beyond, 364.
when can be extended beyond limits fixed by charter, 374.
agreement to deviate from that fixed, when void, 387.

LINE OF DUTY,
liability for acts performed in, 214.
performing work outside of, 1303.
special orders to work outside of, 1304.
contributory negligence in leaving, 1313.
assaults by employes within, 1638.

LIQUIDATED DAMAGES,
penalty distinguished from, 715.
provided for by construction contract, 1058.
fixed in construction contract, 1062.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LITIGATION,

See ACTION AND KINDRED TITLES.

when stockholders will be permitted to carry on for corporation, 181.
authority of treasurer to conduct, 292.
power of corporation over, 618.

LIVE STOCK,

See ANIMALS; CARRIERS OF LIVE STOCK; DUTY TO FENCE.

penalty for confinement of, 726.
liability of interurban railways for killing, 1096bn.
killing live stock by locomotive operated by trespasser, 1208.
duty of railroad company to advertise or report fact of killing stock, 1220b.
presumption that animals will leave track to avoid injury, 1213, n.
expense of preventing further injury as element of damages, 1220a.
feeding and watering on trains, 726, 1554.
facilities for loading and unloading, 1479.
validity of stipulation exempting carrier from liability in case of, 1511.
injuries by vice or propensity of, liability, 1511, 1545.
effect of owner accompanying shipment of, 1511, 1549.
failure to unload, water or feed, 1511, 1553.
injury by inherent nature of, 1545.
carrier not liable for injuries arising from inherent nature of, 1546.
duty to receive and carry, 1547.
burden of proof to show injury to, 1548.
negligence of owner in loading, 1550.
cars and appliances for shipping, 1551.
duty of connecting carrier as to transportation of, 1551.
failure to furnish cars for carriage of, 1551.
facilities for loading and unloading, 1551.
loading and unloading, 1552.
statutes governing carriage of, 1554.
negligence in failing to feed and water, 1554.
train on which it should be shipped, 1555.
duty to care for during delays, 1555.
liability for loss or failure to deliver, 1556.
extra compensation for feeding, 1566.

LOADING CARS,

injury to persons engaged in, 1265c.
injuries from loading, unloading or improper loading, 1751.
duty in regard to loading stock, 1552.

LOANS,

See MORTGAGES.

by directors to corporation closely scrutinized, 604.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LOBBYING,
using corporate funds for, 374.

LOCAL ACTIONS,
examples of, 623, n.

LOCAL ASSESSMENTS,
See ASSESSMENTS.
distinguished from taxes, 781.
definition of, 781.
theory on which levied, 781.
benefits resulting from, 781.
power to levy, 782.
power of municipalities to levy, 782.
theory on which they are levied, 782..
when collection may be enjoined, 782.
power to levy rests on statutes, 782.
can not be levied under general taxing power, 782.
statute authorizing strictly construed, 782.
how many may be levied, 783.
statute must be complied with, 783.
to pay for repairs and the like, 784.
what property subject to, 784.
against property of railroad companies, 785.
when right of way liable for, 786, 787.
where street crosses right of way, 786.
taxation of right of way along side street, 787.
benefits as affecting right to levy, 786.
against street railway, 786, n., 787a.
right of way is not abutting property, 787.
of railroad property for drainage purposes, 788a.
mode of assessing right of way, 788.
lien created by, 789.
what liens they are superior to, 789.
personal liability for, 789.
attorney's fee for foreclosing lien of, 789.
property secondarily liable for, 789a.
enforcing against right of way, 790.
procedure in reference to, 791.

LOCAL AUTHORITIES,
consenting to operation of cable roads, 9.
consenting to highway crossings, 1101.

LOCAL IMPROVEMENT,
See LOCAL ASSESSMENTS.

LOCAL INFLUENCE,
as affecting right to removal to federal court, 645.
as ground for removal of causes, 651.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LOCAL INFLUENCE—Continued.
counter-affidavits to disprove, 651.
time for removing causes on ground of, 653.

LOCAL LAWS,
railways entitled to protection of, 24.
can not be passed against railway companies, 660.
singling out railroads, 679.

LOCAL LEGISLATION,
against railway companies, 669.

LOCAL OFFICERS,
duty where public aid authorized by popular vote, 862.
deciding jurisdictional facts in railway aid proceedings, 865.

LOCATION OF CROSSING,
in petition for condemnation, 1119.
how determined, 1120.
fixing by agreement, 1120.
fixing that of private crossings, 1143

LOCATION OF DEPOT,
in compliance with conditions in subscriptions, 125.

LOCATION OF ROAD,
See RIGHT OF WAY.
subscriptions conditioned upon, 121.
when a condition precedent, 121.
how choice of location determined, 919
legislature fixing, 919.
discretion of company in determining, 920.
discretion where charter indefinite, 920, n.
circular or belt railroad, 919a.
determination of, question of necessity and convenience of proposed railroad, 920a.
sufficiency of, to determine priority between rival companies, 921.
conflicting grants, 921.
priority of location, 921.
on property already devoted to public use, 922.
in canyon, pass or defile, 922.
on abandoned rights of way, 922a.
decision of railroad company to consider branch line, 923.
using track and road-bed of another company, 922.
branch and lateral roads, 923.
exempt property, 924.
preliminary survey, 925.
map and profile of proposed route, 926.
perfecting location, 926.
effect of, 927.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LOCATION OF ROAD—Continued.
when location is complete, 927.
construction of terms "from" and "to," "at or near," 927a.
when fixed by filing of map, 927.
contracts to influence location, 928.
when change of authorized, 929.
discretion of company as to changes of, 929.
right of succeeding company to relocate, 930.
intent as test of abandonment, 931.
change of location after first location is finally completed, 930.
abandonment of location, 931.
old location reverting to landowners, 931.
discretion of company as to selection of, 954.
relocation of stations, 931a.
consent to location of street railway, 1096i, 1096j.

LOCATION OF ROUTE,
stock taken upon condition as to, 121.

LOCOMOTIVES,
See ENGINE.
providing a place for sheltering is authorized, 415.
when subject to sale on execution, 520.
right to take water for, 977, n.
damages for increased danger of fire from, 996.
duty to have headlight on, 1159.
contributory negligence to cross before, 1164.
attempting to cross in front of approaching, 1168.
duty to equip with headlights, 1205.
emission of sparks as negligence, 1221.
duty to provide with fire apparatus, 1224.
using most improved, 1224.
negligence in failing to repair, 1224.
negligence in burning wood in, 1224.
duty to inspect, 1224, 1278, 1297.
duty as to management, 1225.
negligence in overloading, 1225.
excessive use of steam, 1225.
burden of showing defective condition, 1242.
proving setting of fires by, 1243.
emitting large sparks, 1244.
proof that they frequently set fires, 1244.
defendant proving inspection of in fire cases, 1245.
assuming risks from moving, 1289.
brakemen assume risk of firemen running, 1296.
injuries by explosion of boiler, 1299.
term does not include trolley cars, 1338.
whether pile-drivers are, 1338.
duty to provide proper ones, 1478.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LOCOMOTIVES—Continued.
relation of person riding on, 1581.
duty of passenger carriers as to, 1587.
sleeping car companies do not undertake to furnish, 1616.
passenger not to be carried on, 1632.
presumption as to ownership of, 1701.

LONG AND SHORT HAULS,
how affected by interstate commerce act, 1682.
group rates, 1683.

LONGITUDINAL TAKING,
when allowed, 974.

LONGITUDINAL TAKING FOR STREET,
railway not generally subject to, 1098.

LOOK AND LISTEN,
See STOP, LOOK AND LISTEN.
mental absorption will not excuse traveler from duty to, 1165.
whether rule applies to interurban railways, 1096bq.
application of rule to street railway crossings, 1096cj.
duty of motormen at railroad crossings, 1096ck.
duty of traveler at private crossing, 1151.
exceptions to rule, 1166, n.
time and place, 1166a.
rule not invariable and arbitrary as to time and place, 1166a.
duty of traveler to get out of vehicle, 1167, n.
duty to look both ways, 1167, n.
duty of traveler to, 1166.
must be at a place where it will be effective, 1166.
what is sufficient discharge of duty to, 1170.
directing a verdict where plaintiff did not, 1179.
instructions on duty of traveler at railroad crossing, 1850.

LOOKOUT,
negligence in failing to keep, 1095.
driver of vehicle on street railway track not required to keep lookout behind, 1096ch.
duty to maintain on street cars, 1096ce.
duty of company to keep, 1159.
on backing cars, 1162.
for animals on track, 1205.
need not be constant, 1205.
when must be kept for licensees, on track, 1250.
no duty to keep for trespassers 1257.
for trespassers on tracks in cities, 1257.
keeping for trespassing children, 1260.

LORD CAMPBELL'S ACT,
See DEATH; INJURIES RESULTING IN DEATH.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LOSS OF BAGGAGE,
See BAGGAGE.
liability of initial carrier for, 1658.
liability for, 1660.
who may recover for, 1660.

LOSS OF FREIGHT,
when to present claim for, 1512.
proof of raising presumption of negligence, 1516.
effect of right to freight charges, 1558.
effect on rates, 1684c.
evidence as to loss of shipment, 1725.
measure of damages for loss of shipment, 1738.
instructions in actions for loss or injury to live stock, 1747.
instructions in actions for loss of goods, 1752.

LOSS OF FUNCTIONS,
as element of damages, 1819.

LOSS OF PROFITS,
See DAMAGES.
occasioned by delay, 1731.

LOSS OF SERVICES,
between injury and death, 1359.

LOSS OF TIME,
as element of damages in cases of personal injury, 1808.

LOST BOND,
compelling payment of, 487.
re-execution of, 487.

LOST CERTIFICATES,
issue of new ones in place of, 80.

LOST TICKET,
title to, 1593.
effect of loss of ticket, 1594, 1620.

LOW BRIDGE,
See BRIDGES.
effect of employe's knowledge of, 1271.
as a risk of the service, 1271.
liability for injury to drover by, 1632, n.

LOWER RATE,
where liability is limited, 1504.

LUGGAGE,
See BAGGAGE.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

LUMBER COMPANIES,
operating railroads as incident to business, 1.

LUNCH STAND,
See EATING HOUSES.
duty to person visiting, 1256.

M

MACHINERY,
See APPLIANCES; EQUIPMENT.
issuing receiver's certificates to pay for, 590.
duty as to selection of, 1224.
not bound to discard for new inventions, 1272, n., 1472.
master's duty respecting, 1273.
liability for latent defects in, 1275.
employer not bound to abandon because newer ones are in use, 1277.
duty of employe to remedy defects in, 1293.
effect of promise to repair, 1295.
duty of employes to complain of defective, 1296.
careless use distinguished from defects in, 1301.
using that outside scope of employment, 1303.
effect of discovery of defects in after accident, 1308.
person charged with care of is not a fellow-servant, 1318.
cars held to be, 1338.
employer not bound to procure the best, 1343.
care required under employers' liability acts, 1343.
what are defects in within employers' liability acts, 1347.
carrier not bound to adopt most approved, 1472.
exhibiting defective to the jury, 1700.

MACHINE SHOPS,
part of railroad track, 5.

MAIL,
notice of calls and assessments by, 141.
when obstruction of a violation of interstate commerce, 633.
duty of trains to carry, 724.
penal offense to obstruct, 727.
when notice by is sufficient, 1023, n.

MAIL AGENTS,
as passengers, 1578.

MAIL BAGS,
injury to person by throwing off, 1256.
assuming risk of throwing on train, 1290.
passenger injured by one thrown from car, 1639, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MAIN LINE,
stating termini of, 36.

MAJORITY,
of board of directors confirming calls, 136, n.
when necessary to constitute a quorum, 161.
when may amend charter, 163, n.
can not withdraw from corporation, 176.
of directors may act, when, 260.
of quorum of directors may act, when, 263.
right to effect consolidation, 325.
right to effect reorganization, 531.
rights of on reorganization, 533.
upholding reorganization scheme by, 533.
court protecting by furthering reorganization scheme, 536.
of stockholders surrendering corporate charter, 608.
meaning in railway aid election, 849.

MAJORITY OF COMMISSIONERS,
when necessary in appropriation cases, 1014.

MAJORITY STOCKHOLDERS,
accepting immaterial amendment to charter, 45.
can not amend charter, 45.
assuming trust relation to corporation, 169.

MALICIOUS INTENT,
when presumed, 730.

MALICIOUS PROSECUTION,
when company liable for, 214.
corporation may be liable for, 617, n.
when corporation not liable for, 709, n.

MALICIOUS TRESPASS,
on railroad property, 733.

MALUM IN SE,
contracts which are void, 369.
railroad company can not perform acts which are, 382.

MANAGER,
when same as receiver, 566.

MANAGING AGENTS,
powers and authority of, 296.
service of process on, 621.

MANDAMUS,
to compel transfer of stock on books, 92, n.
to compel registration of stock, 98.
will not lie to compel annulment of forfeiture of stock, 154, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MANDAMUS—Continued.
to compel calling of stockholders' meeting, 164.
to compel inspection of books, 172, 271, n.
to compel lessee to operate road, 457, 458.
will not lie to compel sale under decree of foreclosure, 524, n.
receiver of another court will not be controlled by, 553.
to compel receivers to perform public duty, 578.
right of corporation to remedy by, 615.
injunction may have effect of, 636.
to compel performance of legal duty, 637.
laws relating to strictly construed, 637.
to compel completion and operation of road, 638.
to compel restoration of highway, 639, 719, 1092-1096.
to compel construction of crossings and viaducts, 639, 698, 1106, 1111.
to compel construction of farm crossing, 639, 1145.
to compel carriage of freight, 640.
to compel the company to maintain stations and furnish increased facilities, 641, 662, 698, 720.
to compel company to pay damages, 641, n.
will not lie to compel continuance of station not needed, 641.
when it will not lie, 642.
what must be shown to entitle one to writ of, 642.
denying where it would prove unavailing, 642.
who may be relator in suits for, 643.
removal to federal court, 646.
to compel location of station, 698.
to compel obedience to ordinances, 698, n.
to enforce order of railroad commissioners, 698, 699.
to compel posting of schedules, 699.
does not lie to control discretion, 699.
what should appear on face of, brought to enforce orders of railroad commission, 699.
to compel construction of line, 699, 1056.
to compel construction of stations, 720.
to compel levy of tax to pay public aid, 820, n., 918.
to enforce subscription to railway, 836.
when lies to compel issue of railway aid bonds, 862, 863.
as remedy to enforce public aid, 874.
to compel issue of railway aid bonds, 874.
delay as affecting right to, 874.
to compel execution of railway aid bonds, 907.
to compel issue and delivery of railway aid bonds, 917.
to compel municipal officers to perform their duty, 917.
to compel levy of tax, 918.
defense by municipality to, 918.
contempt in refusing to obey, 918.
to compel appointment of appraisers or commissioners, 1016.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MANDAMUS—Continued.
as remedy against administrative officers, 1016.
to compel restoration and maintenance of abandoned roads, 1056c.
to compel city to put street railway company in possession of street, 1096ab.
to compel street railway company to repair streets, 1096aj.
to compel construction of road, 1056.
to compel construction of private crossing, 1145.
to compel construction of fences, 1181.
when will not lie as remedy against excessive charges, 1564.
to compel carrier to perform its duties, 1564.
as remedy against discrimination, 1678, n.
is an extraordinary remedy, 1690.
as remedy for breach of duty by public or common carrier, 1690.

MANDATORY INJUNCTION,
when may be granted against strikers, 633.
English rule as to, 635.
rule in the United States as to, 636.
illustrative cases of, 636.
remedy to which railway companies entitled, 636.
to compel railway company to repair streets, 1092, n.
to compel restoration of highway, 1106.

MANNER OF DELIVERY,
how determined, 1521.
effect of custom and usage, 1522.
consignee waiving objections to, 1531.

MANUFACTURING ESTABLISHMENT,
company can not condemn land for purpose of establishing, 960.
condemnation for roads to, 961.

MAPS AND PLATS,
effect of failure of railway company to file, 51.
effect of filing under land grants, 796.
when company must submit of proposed location, 926.
describing property by reference to, 1022.
filing in appropriation cases, 1029, n.
to aid description in appropriation cases, 1029, n.

MARITIME LAW,
demurrage under, 1567.

MARKET,
sale of stock on, 91.

MARKET VALUE,
when stock may be demanded at, 109.
as affecting compensation in condemnation proceedings, 994.
when is measure of damages in condemnation proceedings, 995.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MARKET VALUE—Continued.
before and after taking, 995.
definition of, 995.
confining evidence to in condemnation cases, 1036.
as affecting damages in condemnation cases, 1036.
as measure of damages in fire cases, 1239.
where animals are killed or injured, 1218.
of goods at destination, how determined, 1734.

MARRIED WOMEN,
See HUSBAND AND WIFE.
may own shares of stock, 93.
may subscribe for stock, 107.
effect of release of damages by, 934.

MASONIC REGALIA,
when is not baggage, 1647, n.

MASQUERADE COSTUMES,
when are not baggage, 1647, n.

MASTER AND SERVANT,
See INJURIES TO EMPLOYES; EMPLOYERS' LIABILITY ACTS; ASSUMPTION OF RISK.
right of servant to quit service of master, 833.
rules affecting employes, 200b.
authority of division superintendent to direct section foreman to help unload cars, 220.
authority of station agent to employ help, 220.
injuries to interurban railway employes, 1096bw.
duty of street railway company as to employment of operatives, 1096cd.
care as to selection of street railway operatives, 1096cg.
liability of street railway company for willful acts of employes. 1096dc.
servant's negligence attributable to master, 1174.
when contractor is a master. 1064.
master ratifying willful act, 1265.
when master liable for servant's willful acts, 1265.
care towards persons lawfully at work on track, 1265b.
who are employes, 1267a.
master not an insurer of servant's safety, 1268.
injuries caused by narrow bridges, 1271a.
injury to employe by overhanging tree limb, 1272.
duty to block frogs, 1272a.
master's duty respecting machinery and appliances, 1273.
delegation of master's duty, 1276.
what duties may be delegated, 1276.
duty of railroad company to keep abreast of the times with appliances, 1277.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MASTER AND SERVANT—Continued.
duty as to simple tools, 1278a.
presumption of knowledge of rules on time tables, 1281, n.
master's duty in reference to inspection, 1278, 1327.
duty of master to promulgate rules, 1280.
when on equal ground as to defects, 1288
distinction between contributory negligence and assumption of risk, 1288a.
duty as to couplers, bumpers, and brakes, 1296a.
duty as to brakes, couplers, and other devices under act of congress, 1296b.
precautions for safety of car inspectors, repairers, and cleaners, 1298a.
whether employe carried to and from work a passenger, 1303a.
rule where servant goes outside scope of employment, 1303.
liability of master where servant ordered out of line of duty, 1304.
merely volunteering does not create relation of, 1305.
rule as to master's knowledge of defects, 1307.
test of master's liability, 1308.
acts of servants in sudden emergencies, 1314.
contributory negligence of engineer and fireman, 1315a.
contributory negligence of injured conductor, 1315b.
contributory negligence of injured section men and track repairers, 1315c.
contributory negligence in mounting or alighting from moving cars, 1315d.
contributory negligence of employe in walking upon tracks, 1315e.
contributory negligence in making "flying switches," 1315f.
injuries to street railway employes, 1315g.
contributory negligence of street railway employes, 1315h.
federal safety appliance act, 1315i.
vice-principal as to particular subjects, 1319
servant sometimes employe and sometimes vice-principal, 1319.
legislation changing law of, 1334.
how employers' liability acts affect contract relation between, 1339.
federal courts enforcing general law as to, 1339.
relation must exist to call in operation employers' liability acts, 1342.
duty of servant to complain of defects, 1345.
rule where servant is riding on pass, 1606.
pleading in actions for injuries to employes, 1766.
sufficiency of pleading on question of assumption of risk, 1767.
pleading fellow-servant rule, 1768.
pleading rules for regulation of employes, 1769.
pleading injuries from low overhead bridges, 1770.
presumptions and burden of proof as to incompetency of fellow servants, 1779.
presumptions and burden of proof as to promulgation of rules, 1780.
burden of proof where injury result of disobedience of rules, 1781.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MASTER AND SERVANT—Continued.
evidence in actions for injuries to employes, 1795, 1796.
admissibility of evidence of methods used on other roads, 1796.
admissibility of evidence of sufficiency of instruction, 1796.
evidence in actions for injuries caused by bridges and other overhead objects, 1797.
instructions in actions for injuries to railroad employes, 1829.

MASTER IN CHANCERY.
to select receiver, 552.
referring receiver's accounts to, 583.

MASTER MECHANIC,
as a fellow-servant, 1323.
as vice-principal, 1323.

MATERIAL,
six months' rule applicable to claims for, 528.
condemning land for purpose of securing, 960.
effect of unauthorized appropriation of, 1057.
lien on railroad for, 1067.
what lien may be acquired for, 1068.
can be no lien for that not delivered, 1068.
groceries and food are not, 1068.

MATERIAL ALTERATIONS,
what constitute, 122.

MATERIAL AMENDMENTS,
consent of all stockholders generally required, 45.

MATERIAL MEN.
when not entitled to priority over mortgage, 500.
distinguished from subcontractors, 1061.
contractor giving bond to secure, 1065.

MATURITY,
presenting bonds before, 483.
purchase of bonds after notice of irregularities, 484.

MEADOW,
measure of damage for burning, 1239.

MEASURE OF DAMAGES,
See DAMAGES.
where land taken under eminent domain, 980, 995.
in condemnation proceedings, 994.
where land is condemned, 995.
illustrative cases of, 995.
for failure to construct private crossings, 1141.
where animals are killed or injured, 1188, 1218.

Digitized by Google

[*References are to Sections—Vol. I, §§ 1–656a; Vol. II, §§ 657–1075; Vol. III, §§ 1076–1390; Vol. IV, §§ 1391–1851.*]

MEASURE OF DAMAGES—Continued.
for property destroyed by fire, 1239.
market value as in fire cases, 1239.
value before and after injury by fire, 1239.
where buildings destroyed or injured by fire, 1239.
allowing interest in fire cases, 1239.
where growing crops destroyed or injured by fire, 1239, n.
for injuries causing death, 1378.
contingencies affecting in death cases, 1378.
for breach of contract to give passes, 1611, n.
for loss of or injury to baggage, 1660, n.
for refusal to carry, 1691, n.

MEASUREMENTS,
notice to contractor of making, 1059.

MECHANIC'S LIEN,
who regarded laborers within law entitling them to, 186.
priority over mortgages, 500, n.
attacking appointment of receiver in suit to enforce, 564.
general laws do not include railroads, 1066.
upon what it may be acquired, 1069.
who may acquire, 1070.
when lien holders share pro rata, 1072.
when prior to mortgage, 1072.
when may be assigned, 1073.
enforcing by scire facias, 1970.
waiver of, 1075.
waiving by accepting other security, 1075.

MEDICAL ATTENDANCE,
when servants may secure, 222, n.
furnishing to employes, 1388.
as element of damages, 1820.

MEETINGS,
stockholders' held out of state, 24, n.
of stockholders, 164.
of board of directors, 260.
stated and special of directors, 261.
of directors outside of the state, 264.

MEMBERS,
of corporation bound by by-laws, 192.

MENTAL ABSORPTION,
effect on injuries at highway crossings, 1165.

MENTAL ANGUISH,
as element of damages, 1816.
on account of injury to another, 1821.
to relatives by mutilation of corpse, 1577b.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MERCHANDISE AS BAGGAGE,
knowledge that baggage contains merchandise, 1649.
contract to carry as baggage, 1649.
when carrier liable as insurer, 1649.

MERGER,
by consolidation, 334.
distinguished from consolidation, 335.
of preliminary agreement in deed, 421.
where there is a recovery for personal injuries, 1375.
of oral negotiations in bill of lading, 1503.

METHODS OF BUSINESS,
engineers assuming risks of employer's, 1294, 1297.

METHODS OF TAXATION,
See TAXATION.
how many there are, 738.
statutory method of assessment exclusive, 739.

MILEAGE BASIS,
valuation on for taxation, 758.
assessing taxes on, 765.

MILEAGE TICKETS,
duty of succeeding company to honor, 333.
when may be issued, 1600.
effect of limitation in as to time, 1600.
conductor refusing to accept detached coupons, 1600.
how to detach coupons from, 1600.
redemption of unused portion, 1600, n.
under interstate commerce act, 1687.

MILITARY DUTY,
exemption of corporate representatives from, 205.
effect of military service on railway aid election, 849.

MILITARY ROADS,
securing under eminent domain, 950.

MILK,
group rates on, 1683.

MILLING IN TRANSIT,
whether violative of interstate commerce act, 1686a.

MILLS,
condemnation for branch roads leading to, 961.

MINERAL WELLS,
destruction of in construction of railroad, 996.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MINES,
right of railway company to purchase, 393.
condemnation for branch roads to, 961, 961a.

MINISTERIAL AGENTS,
officers are, 206, n.
when courts may appoint, 918.

MINISTERIAL OFFICERS,
strictly judicial powers can not be conferred on, 677.
railroad commissioners are, 677.
power to fix tariff of rates, 691.

MINOR,
See INFANTS; CHILDREN.
when an employe, 1342.
who may recover for death of, 1368.
guardian maintaining action for, 1368.
rights in relief association, 1384.

MINORITY BONDHOLDERS,
refusing to participate in reorganization, 534.

MINORITY STOCKHOLDERS,
consent to charter amendments, 45.
rights of, 163, 169.
when may enjoin action of majority stockholders, 165.
when may prevent consolidation, 325.
rights of upon reorganization, 531.
by agreement, 533.
court protecting by furthering reorganization, 536.
right to ask appointment of receiver, 550.
when may compel dissolution, 608.
right to have property distributed on dissolution, 612.

MISCONDUCT,
director forfeiting right to office by, 271, n.
effect of on part of mortgage trustee, 508.
when receiver liable for that of his servants, 577.
as ground for removal of receivers, 586.
as affecting report of commissioners, 1042, n.
of jurors or commissioners in appropriation cases, 1046.
ejection of passengers for, 1637.

MISCONDUCT OF COUNSEL,
in trial of causes, 1704.
necessity of exception, 1704.

MISDELIVERY BY CARRIER,
See DELIVERY; EXCUSES FOR FAILURE TO DELIVER.
of live stock, 1556.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

MISDELIVERY BY CARRIER—Continued.
of goods, 1526a.
when amounts to a conversion, 1526.
what will amount to, 1526.

MISDEMEANOR,
See PENAL OFFENSES; CRIMES.
breaking into ticket office, 732.

MISDESCRIPTION,
effect of in bill of lading, 1422.
by shipper as relieving carrier from liability for loss, 1491.

MISJOINDER,
remedy for, 1215.

MISLEADING TRAVELER,
liability for, 1171.

MISMANAGEMENT,
as ground for appointment of receiver, 543, 549.
receiver suing officers for, 569, n.
as affecting amount of receiver's compensation, 584.

MISREPRESENTATION,
See FRAUDULENT REPRESENTATIONS.
in obtaining subscriptions, 127.
as ground for rescission of subscription, 127, n.
in prospectus, 128.
by agents generally, 128.
liability for agent's, 213.
individual liability of officers for, 231.

MISTAKE,
payments on stock made under, 115, n.
how affects right to specific performance, 935.
relieving against those in engineer's estimates, 1059.
parol evidence to show, 1423.
carrier not liable for shipper's, 1491.
in delivering freight to wrong person, 1523.
of shipper in marking goods, 1535.
effect of agents in fixing freight rate, 1565.
person on train by, when a passenger, 1578.
effect of in taking up wrong coupon of ticket, 1597.
effect of in collecting fare, 1603.
rule where baggage is received by, 1657.
payment of freight charges under mistake of fact, 1564.

MISTAKE IN JUDGMENT,
See CALCULATION OF CHANCES: ERROR OF JUDGMENT.
when not negligence, 1175.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075: *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MISTAKE IN JUDGMENT—Continued.
when not contributory negligence, 1173.
miscalculation of traveler at interurban crossing, 1096br.

MISUSER,
as ground for forfeiture, 48.

MITIGATION,
insurance to mitigate damages, 1805.

MIXED QUESTION OF LAW AND FACT,
See QUESTIONS OF FACT; QUESTIONS OF LAW.
undue preference is, 1679.

MIXED TRAINS,
degree of care due to passengers riding on, 1629.

MOBS,
See STRIKERS.
liability for loss or damage caused by, 1459.
contracting against loss by, 1460.
violence of does not relieve where there is express contract, 1460.
refusing to carry goods on account of danger of, 1466.
stipulating against loss from delay caused by, 1513.
effect of delay caused by, 1555.

MODERN APPLIANCES,
duty to equip trains with, 1588.

MODIFICATIONS,
See AMENDMENT.
legislature making to charters, 46.

MONEY,
corporation's power to borrow, 42, 342.
donated upon condition, 121.
recovering back that paid on fraudulent subscriptions, 131.
treasurer has no power to borrow, 292.
power to borrow to pay dividends, 313.
what kind dividends must be paid in, 320.
liability for that borrowed in excess of authority, 351.
obtained on ultra vires contracts, 369.
effect of retaining under ultra vires contract, 371.
power of president to borrow, 491, n.
securing payment of by mortgage on after-acquired property, 497.
receiver borrowing and issuing certificates, 588, 593.
right of corporation to borrow from its officers, 604.
set apart for payment of interest not subject to garnishment, 626.
implied power of municipality to borrow, 875, n.
compensation and damages must be awarded in, 982, 1042.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MONEY—Continued.
tender must be made in, 1051.
sleeping car company liable for loss of, 1622.
as baggage, 1647.
when carrier insurer of that carried as baggage, 1647, n.

MONOPOLIES,
See TRUSTS.
railroads as, 32.
not implied, 32.
grant of not presumed, 39.
contract creating is void, 388.
municipality can not grant, 1077.
when created by grant to use street, 1083.
federal power over, 1674.
rights of street railway in streets, 1096s, 1096t, 1096u.
life of street railway franchises, 1096l.
control under interstate commerce act, 1662c.

"MORE OR LESS,"
effect of expression in bill of lading, 1420.

MORTALITY TABLES,
See LIFE TABLES.
in cases of injuries causing death, 1378.

MORTGAGE,
when franchise can be mortgaged, 67.
of corporate franchise, 71.
sale of franchises on foreclosure of, 72.
when calls and assessments can be mortgaged, 145.
when directors may make, 253.
delegation of power to execute, 258.
who has power to execute, 285, 491.
when takes precedence over unsecured debts of consolidated companies, 336.
how affected by consolidation, 336.
incidents of power to execute, 345, n.
state authorizing execution of, 385.
what power to execute includes, 480.
legislative authority necessary, 488.
may be made of part of road, 489.
what may be mortgaged, 490.
statute giving power to mortgage specific property does not authorize mortgage of other property, 490.
when stockholders may authorize, 491, n.
ratifying unauthorized or improperly executed, 492.
when ultra vires one may be made effective, 493.
recording, 494.
what property is covered by, 495.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MORTGAGE—Continued.
effect of specific enumeration of property in, 495.
what covered by one on the undertaking, 496.
of after-acquired property, 497.
validity of one by de facto corporation, 497.
after-acquired property, 497a.
what after-acquired property includes, 497a.
whether mortgage of after-acquired property covers property not used for railroad purposes, 497a.
when fixtures subject to lien of, 498.
priority of, 500.
trust deed in effect is, 501.
equitable and defective, 502.
whether money borrowed to pay interest has priority over principal, 500.
right of trustee to take possession without suit, 501.
statutory, 503.
foreclosure because of default, 505.
option to declare whole debt secured by due, 506.
foreclosure for default in payment of interest, 507.
validity of agreement in as to suits by bondholders, 509.
defendants in suits to foreclose, 511.
defenses to foreclosure of, 513.
effect of provisions in giving trustees right to take possession and sell, 514.
right of assignee of, 514.
maintaining suit at law on, 514.
agreement of mortgagees not to sue at law, 514.
when action to foreclose may be brought, 514.
consent decree to foreclosure of, 516.
power to sell not included in, 519.
sale under should be as an entirety, 520, n.
with power of sale, 521.
selling consolidated road to pay several, 523.
priority of those on consolidated line, 523.
confirmation of sale on day different from that fixed by court, 524, n.
what passes to purchaser at foreclosure sale, 525a.
disposition of proceeds of foreclosure sale, 527a.
rendering provisional decree of foreclosure, 530.
right to redeem from, 530.
dissenting bondholders can not be deprived of rights under, 533.
when majority of bondholders may modify, 533.
receiver's certificates superior to, 592.
preferring creditors by, 603.
foreclosure of mortgage on property in hands of receiver, 573, n.
to officers to secure loan of money, 604.
action to foreclose is a local action, 623.
mechanics' lien prior to, 1072.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MORTGAGE—Continued.
when taking operates as waiver of lien, 1075.
of franchise of street railway company, 1096ad.
of interurban railways, 1096bl.

MORTGAGE BONDHOLDERS,
becoming purchasers at foreclosure sale, 521.
receiver's certificates superior to lien of, 591.
when claims for labor prior to rights of, 1072.

MORTGAGE BONDS,
exchanging preferred stock for, 81.
priority of operating expenses over, 580.
money set apart for payment of interest on not subject to garnishment, 626.

MORTGAGE CREDITORS,
receiver not appointed because of disagreement among, 546.
expenses of operation by receiver superior to, 580.

MORTGAGE SALE,
dissolution caused by, 606, n.

MORTGAGE SECURITY,
what bondholders entitled to participate in, 485.
how interest coupons share in, 487.
reserved power to create prior lien or to dispose of unnecessary property, 499.

MORTGAGE TRUSTEES,
discretion as to time and manner of sale, 524.
suing to set aside fraudulent foreclosure sale, 529, n.
can not purchase at their own sale, 529.
can not form combination with bondholders, 535.
when may purchase at foreclosure sale, 535.
when refusal to give possession to ground for a receiver, 545

MORTGAGED PROPERTY,
may be condemned, 963.

MORTGAGEE,
becomes stockholder on exchanging bonds for stock, 81, n.
when may vote stock, 157, n.
must show loss before can have receiver, 545.
appointing receiver on application of, 549.
how affected by conveyance to railroad company, 934.
rights where there are condemnation proceedings, 1003.
as party to condemnation proceedings, 1003.
notice to in condemnation cases, 1023, 1052, n.
when liable for compensation and damages, 1048.
right to maintain action of trespass, 1049.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MORTGAGEE—Continued.
need not be party to street opening proceedings, 1100, n.
liability for injuries to animals, 1208.
when carrier may deliver possession to, 1537.

MORTGAGOR,
trustees notifying of intention to sell, 514.
right to set aside foreclosure sale for fraud, 529.
insolvency of as ground for appointment of receiver, 546.
when must deliver possession to receiver, 562.

MOTHER,
recovering for death of minor child, 1368.
recovering for death of illegitimate child, 1368.

MOTION,
appointment of receiver upon, 558.
to set aside report of commissioners, 1044.

MOTIVE,
See INTENT.
wrong one no defense to calls, 139.
of party seeking to enforce penalty, 713.

MOTIVE POWER,
does not determine character of road, 4, n.
that street railway may use, 1080.
change of motive power of street railways, 1096q, 1096r.

MOTORMAN,
fellow-servant of conductor, 1333c.

MOVING CAR,
negligence in standing on steps of, 1630.

MOVING TRAIN,
child passing in front of, 1261.
negligence in attempting to board, 1628.
contributory negligence in alighting from, 1628, n.
trainmen, 1315d.

MULES,
duty to fence against, 1190.

MULTIPLICITY OF SUITS,
equity interfering to prevent, 628, n.
enjoining, 632.
injunction against strikers to prevent, 633.

MUNICIPAL AID,
when consolidated company may collect, 329, n.
constitutionality of statutes authorizing, 814.
tendency of decisions is to support statutes authorizing, 818, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MUNICIPAL AID—Continued.
power to grant is continuous, 828.
authority to subscribe for does not authorize endorsement of by city, 835.

MUNICIPAL AID BONDS,
See PUBLIC AID.
can not be issued under power to make subscriptions, 839.
power to issue not to be implied, 839.
validating, 843.
injunction to prevent issue of, 850.
effect of conditions in, 851.
postponing issuance of, 862.
mandamus to compel issue of, 863, 874, 917.
rights of creditors in, 863.
implied power to make bonds negotiable, 874a.
actions to correct errors in, 873, n.
power to issue, generally, 875.
legislative authority to issue necessary, 875, 876.
unauthorized are void, 876.
may be issued by municipality incorporated after enactment of general statute, 876.
constitutional questions, completed road, 877.
insolvent company not entitled to, 877.
governmental subdivisions may be authorized to issue, 878.
execution of the power to issue aid bonds, 879.
may be sold through broker, 879, n.
following statute in issuing, 879.
execution of the power to issue, implied powers, 880.
where should be made payable, 880.
rate of interest on, 880, n.
formal execution of, 881.
delivery of, 881a.
effect of absence of municipal seal from, 881.
what officers may execute, 881, n.
nature of, 882.
as commercial paper, 882.
who is bona fide holder of, 882.
effect of recitals in, 882, n.
proceedings of municipal officers must conform to statute, 883.
want of power, effect of, 884.
conflict of authority, 885.
consolidation does not take away right to, 886, 913, n.
duty of purchaser to ascertain that power to issue exists, 887.
when void in hands of bona fide holder, 888.
issued in excess of limits prescribed by constitution, 888, 895.
limitation of amount, 889.
in excess of limit prescribed by statute, 890.
recitals in creating an estoppel, 890.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MUNICIPAL AID BONDS—Continued.
running beyond time prescribed, 891.
payable out of a specific fund, 892.
liability on those issued for a special purpose, 892.
tax-payer enjoining issue of, 893.
performance of conditions, 893.
suing for cancellation, 893, n.
when are void, 894.
ratification of those irregularly issued, 894, 894a.
validity of those issued without statutory authority, 895.
form of—to whom payable, 895a.
effect of lack of seal, 895b.
effect of recital as to authority under which issued, 896, 901.
recitals can not give them validity, 895.
bona fide holders of, 896.
notice given by, 896.
recitals in as notice, 896.
general doctrine as to estoppel by recitals in, 897.
when agent may be appointed to execute, 898.
illustrative cases of estoppel by recitals in, 898.
defenses to in hands of bona fide holders, 898.
recitals in not always conclusive, 899.
when registration required, 899, 908.
conclusiveness of official certificates, 900.
recitals in to constitute an estoppel must be of facts, 901.
no estoppel where officer has no jurisdiction, 902.
purchasers must ascertain validity, 902, n.
estoppel otherwise than by recitals, 903.
payment of interest as an estoppel, 903.
renewal creating estoppel, 903.
estoppel by retention of stock, 904.
effect of recitals in as against bondholders, 905.
refunding, 906.
substitution, 906.
discretionary power and peremptory duty, 907.
exchanging direct for stock, 907.
purchaser of in open market a mere volunteer, 910.
effect where sold for less than sum fixed by statute, 909.
subrogation of holder of invalid bonds, 910.
liability of municipality to purchaser of invalid bonds, 911.
right of municipality to recover money paid because of railroad company's wrong, 912.
defenses to, 913.
how affected by consolidation, 913, n.
extrinsic evidence to uphold, 913.
validity of those executed by de facto officers, 913.
bondholders not bound by proceedings to which they are not parties, 914.

Digitized by Google

following state decisions, 915.
jurisdiction of federal courts, 916.
compelling issue of bonds, 917.
remedies of bondholders, 918.
effect of resignation of municipal officers, 918.
judgment on, 918.
levy of tax where township abolished, 918a.
good faith of purchaser where election held invalid by state supreme court, 918a.

MUNICIPAL AUTHORITIES,
consenting to company occupying streets, 630.

MUNICIPAL BONDS,
See MUNICIPAL AID BONDS.
paying subscriptions with, 110.
effect of repeal of law authorizing, 833.

MUNICIPAL CORPORATIONS,
taking stock in railways, 107.
contracts with for terminal facilities, 360.
granting right to use streets for tracks, 361.
power to determine location of tracks, 361, n.
regulating speed of trains, 670.
mandamus to enforce ordinances of, 698, n.
power to make reasonable regulations, 724.
constitutional limitation on power to levy taxes, 816, n.
constitutional limitation upon power to incur debts, 820.
when may make donations and subscriptions to railroads, 820.
compelling them to grant public aid, 824.
compelling them to take stock in railways, 824.
granting aid to branch roads, 826.
aiding railroad which is without its limits, 826.
power to grant aid is continuous, 828.
how many subscriptions may make to railway company, 828.
taxing one railroad to aid another, 830.
can not give negotiable instruments to railway companies, 835.
basis of authority to grant public aid, 836.
control of the legislature over, 837.
power to aid by subscription does not authorize execution of bonds, 839.
division for purpose of voting for public aid, 846.
what ones may be authorized to grant aid, 847.
power to prescribe conditions to grant of public aid, 852.
exercising power of eminent domain, 953.
power of legislature to change boundaries of, 853.
how change of affects public aid, 853.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1300; *Vol. IV,* §§ 1391–1851.]

MUNICIPAL CORPORATIONS—Continued.
how extinction affects railway aid, 854.
limitations upon amount of public aid they may give, 854.
when may ratify railway aid subscription, 867.
legislative control over, 868.
rights and liabilities as stockholders in railway company, 869.
remedies in reference to public aid, 873.
restraining railroad company from violating agreement, 873.
power to aid railway companies generally, 875.
borrowing money to pay aid bonds, 875, n.
authority to become a stockholder, 875, n.
implied powers in issuing aid bonds, 880.
when bonds not general obligations of, 892.
ratifying bonds irregularly issued, 894.
when bound by recitals in bonds, 897.
executing bonds through agents, 898.
estoppel by retaining stock, 904.
liability to purchaser of invalid bonds, 911.
recovering money paid because of wrong of railroad company, 912.
power to release railroad from performance of conditions as to construction of road, 944.
adverse possession of right of way as against, 948a.
no inherent power to create corporations or grant franchises, 1076.
when may grant use of streets to railroads, 1076.
consenting to use of streets, 1076.
without power to give railroad entire use of street, 1077.
implied power of to grant right to use street, 1077.
consenting to use of streets, 1078.
nature and effect of grant by, 1079.
reserving right to amend or repeal ordinances, 1079.
imposing conditions to grant of use of street, 1081.
regulating speed of trains, 1082, 1204.
holding streets in trust for public, 1089.
power to compel railway companies to restore and repair streets, 1092.
liability for defective streets, 1092.
repairing streets at cost of railway company, 1092.
remedy over against railway company, 1092.
consent to location of street railways, 1096i.
power of city to impose terms and conditions on street railway, 1096p.
whether city may grant exclusive right to streets to city railway, 1096s, 1096t, 1096u.
power to forfeit franchises of interurban railways, 1096bj.
sale of street railway franchises, 1096k.
power to lay out streets across railways, 1098.
proceedings by in opening street across railway, 1100.
consenting to laying of railroad across street, 1101.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

MUNICIPAL CORPORATIONS—Continued.
determining whether crossing shall be above or below grade, 1109.
requiring gates and flagmen at railroad crossings, 1114.
duty to fence in, 1195.
as operator of railroad, 1338.

MUNICIPAL OFFICERS,
when may grant public aid, 823.
duty in reference to vote of public aid, 862.
power in reference to public aid where popular vote required, 864.
possess only statutory powers, 864.
conforming to statute in issuing aid bonds, 883.
duty in regard to certifying bonds, 900.
mandamus to compel execution of railway aid bonds, 907.
mandamus to compel performance of duty, 917.
effect of resignation of, 918.

MUNICIPAL ORDINANCE,
See ORDINANCES.
effect of violation of, 711.

MUNICIPAL SUBSCRIPTIONS,
See MUNICIPAL AID; PUBLIC AID.
defenses to, 870.

MUNIMENTS OF TITLE,
bills of lading as, 1426.

MURDER,
by shooting into car, 131, n.

MUTILATED TICKETS,
use of, 1601a.

MUTUAL DUTIES,
at highway crossings, 1153.

MUTUAL RIGHTS,
at highway crossings, 1153.

MUTUALITY,
as affecting question of license, 1249.
as affecting injuries to servants, 1305.
in contract in relief department, 1383.

N

NAME,
of incorporators in articles, 18.
initials of christian in articles of incorporation, 18.
stating corporate in articles of association, 36.
changing is immaterial amendment, 45, n.
when receiver may sue in his own, 568.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NAME—Continued.
when it implies a corporation, 617.
signing to mileage ticket, 1600.

NARROW STREET,
See HIGHWAYS; STREETS.
railroads in, 1089.

NATIONS,
comity, 22.

NATURAL PERSON,
railroad compared to, 21.
corporations act through, 203.
corporations different from, 661.

NATURAL PROPENSITY,
live stock injured by, carrier not liable, 1551.

NAVIGABLE RIVER,
rights of landowner on to construct levees, 977.

NAVIGABLE WATERS,
authority to bridge, 966.

NAVIGATION,
mandamus to prevent interference with, 638.
railroad must not interfere with, 966.
damages for obstructing, 1057.
abridgement of right of by railroad construction, 980a.

NECESSARY POWERS,
what phrase includes, 38.

NECESSARY PROPERTY,
when may be sold, 519.

NECESSITY,
See EMINENT DOMAIN.
for taking corporate franchises under power of eminent domain, 74.
as ground for making contract by contractor, 302.
determining for appointment of a receiver, 558.
when running trains is a work of, 717.
as affecting right to change the route, 930.
who determines question of, 952.
power of legislature to determine question of, 952.
when courts bound by company's determination of, 954.
burden of establishing, 973.
right of property owner to dispute, 1021.
as affecting amount of damages in appropriation cases, 1036.
for railway crossing, 1119.
as affecting number of railroad crossings, 1124.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NECESSITY AND CONVENIENCE,
See LOCATION.

NEGATIVE EVIDENCE,
weight of, 1158.

NEGLECT TO KEEP IN REPAIR,
cause for forfeiture, 49.

NEGLIGENCE,
See CONTRIBUTORY NEGLIGENCE; STREET RAILWAYS; INTERURBAN RAILWAYS; RAILROAD CROSSINGS; PLEADING; EVIDENCE AND RELATED TITLES.
when subscriber must be free from, 130.
liability for agent's, 213.
in selecting employes, 213.
in furnishing unskillful surgeon, 222.
liability of directors for, 281.
liability for superintendent's 297.
when contract against liability for void, 388.
liability for under unauthorized lease, 466.
can be none where there is no duty, 466.
when lessor liable for lessee's, 467, 473.
lessor's liability for lessee's in operating road, 469.
liability of lessee for, 471, 474.
when lessor and lessee jointly liable for, 476.
suing receiver for that of his employes, 573, n.
receiver liable for that of his servants, 577.
of receiver reducing his compensation, 584.
as ground for removing receiver, 586.
must be proximate cause of accident, 711, 1095, 1306, 1310, 1402n, 1584, 1640, 1697.
violation of statutory duty as, 711.
violation of ordinance as evidence of, 711, 1095, 1214.
violation of penal statutes as proof of, 711.
in failure to properly keep station, 720.
in construction of road under license, 949.
in constructing bridges, damages for, 977.
in making preliminary survey, 986.
in constructing road, liability for, 1005, 1057.
in prosecuting condemnation proceedings, 1032.
in blasting, damages for, 1057.
terminating construction contract on account of, 1058.
liability for that of subcontractor, 1061.
liability of company for that of contractor or servants, 1063.
in running train while constructing road, 1063.
liability for that of independent contractor, 1063.
liability for that in selecting contractor, 1063.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NEGLIGENCE—Continued.
in running electric cars at high rate of speed, 1094.
excessive speed as, 1095.
in failing to keep lookout ahead, 1095.
when question of fact for the jury, 1095.
relative rights of traveler and interurban car on highways, 1096bo.
degree of care in use of interurban tracks by public, 1096bo.
of interurban railway passengers, 1096bt.
miscalculation of traveler at interurban crossing, 1096br.
care to be exercised by street railways generally, 1096cb.
care as to employment of street railway operatives, 1096cd.
violation of speed ordinance as prima facie evidence of, 1096ce.
care of traveler at street railway crossing, 1096ci.
in failing to erect sign-boards, 1114, 1157.
causing injury at crossing, 1115.
presumption of as to collision at crossing, 1132.
in failing to give signals, 1150.
in omission of signals, 1154.
violation of statutory duties as, 1155.
breach of statutory duty as evidence of, 1155.
when omitting sign-boards, gates and flagmen is, 1157.
of flagman or gate-keeper, 1157.
in not properly giving signals, 1158, 1206.
in rate of speed, 1160.
presumption that traveler at crossing was guilty of, 1163.
where traveler proceeds upon calculation of chances, 1165.
to fail to stop before crossing track, 1167.
in managing gates at crossings, 1171.
age at which children accountable for, 1172.
in placing person in position of sudden peril, 1173.
drivers not imputed to passenger in vehicle, 1174.
agent's attributable to principal, 1174.
servant's attributable to master, 1174.
after discovery of traveler's danger, 1175.
in injuring animals, common law rule, 1180.
in failing to fence, 1181.
injury to passengers, 1191.
injury to employes, 1192.
in killing animals, 1194.
in injuring animals, 1201.
in injuring animals on highway, 1203.
in failing to keep lookout for animals, 1205.
omission of signals as evidence of, 1206.
in recklessly giving signals, 1207.
in attracting animals to railway tracks, 1211.
presumption where animals are injured, 1213.
mere killing of animal as evidence of, 1213.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

NEGLIGENCE—Continued.
what sufficient to overcome presumption of, 1213.
burden of establishing where animals were injured, 1214.
violation of ordinance not conclusive proof of, 1214.
in use of fire, 1221.
as gist of action in fire cases, 1221.
when emission of sparks is not, 1221.
fire as prima facie evidence of, 1222.
in failing to properly equip locomotive with fire apparatus, 1224.
in failing to repair locomotives, 1224.
burning wood in coal-burning locomotive, 1224.
in management of locomotives, 1225.
in failing to clear right of way of combustibles, 1226.
in suffering fire to escape from right of way, 1227, 1229.
in failing to extinguish fires, 1232.
in burning property located on right of way, 1235.
contracting against liability for, 1236.
when lessor liable for lessee's, 1237.
presumption that railway company will not be guilty of, 1238.
pleading in fire cases, 1241.
presumption of in fire cases, 1242.
plaintiff has burden of proving in fire cases, 1242.
burden of disproving in fire cases, 1242.
proving by circumstantial evidence, 1244.
as question for jury in fire cases, 1244.
where spark arrester is absent, 1244.
great and unusual speed as evidence of, 1244.
in burning wood in coal burning locomotive, 1244.
evidence to rebut in fire cases, 1245.
none unless breach of some duty, 1251.
distinguished from willfulness, 1251, n.
gross negligence, 1254.
in throwing off mail bags, 1256.
in trespassing upon railway track, 1257.
in leaving turntable unlocked, 1259.
of children, 1261.
imputable, 1262.
in watching children, 1262.
in frightening horses, 1264.
in giving statutory signals, 1264.
in failing to keep premises safe, 1272.
none in using appliances generally used, 1274.
no liability where there is none, 1275.
where buffers of cars are of unequal heights, 1279.
in employing unskilled employes, 1284.
never presumed, 1286, 1299.
burden of proving, 1286.
in retaining incompetent fellow-servants, 1292.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III.* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NEGLIGENCE—Continued.
is test of employer's liability, 1297, 1308.
mere proof of accident does not show, 1297.
can not be inferred from fact of explosion, 1299.
proof of where boiler explodes, 1299.
proof of can not be left to conjecture, 1299.
when not established by mere proof of a collision, 1300, 1635.
in loading cars, 1301.
concurrent where employes are injured, 1306.
employer's must be proximate cause, 1306, 1310.
in failing to secure knowledge of defects, 1307.
evidence of employer's, 1309.
may be inferred from circumstances, 1309.
liability for that of fellow-servant, 1316.
must be to create liability for defects, 1349.
mere existence of defect does not establish, 1349.
presumption from occurrence of accident, 1350.
in selecting co-employes, 1351.
what constitutes in matter of superintendence, 1353.
validity of contract against, 1358.
acts of omission or acts of commission, 1361.
causing instantaneous death, liability for, 1363.
arises out of breach of duty, 1367.
breach of duty must be shown, 1369.
contract in relief department against, effect, 1381.
in selecting physician or surgeon, 1388.
when company liable for that of surgeon, 1389.
validity of contracts against future negligence, 1390.
private carrier stipulating against liability for, 1397.
presumption of as against street railway companies, 1402.
statute making initial carrier liable for negligence of others, 1439.
carrier showing absence of where it relies on act of God, 1457.
contributing to loss by public enemies, 1458.
warehouseman liable for, 1463.
in wrongful shipment of goods, 1463.
in not adopting proper cars and equipment, 1472.
as to proper cars, equipment and appliances, 1478.
in failing to properly equip trains, 1479.
of carrier in handling goods, 1481.
delay as prima facie evidence of, 1483.
causing destruction of goods while in warehouse, 1488.
in delaying goods, 1488.
in failing to obey directions and instructions of shipper, 1490.
of shipper in packing and loading goods, 1492.
carrier has no right to contract against liability for in most jurisdictions, 1497, 1645.
right to contract against liability for in some jurisdictions, 1498.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NEGLIGENCE—Continued.
limiting liability as to gross and ordinary, 1498.
immunity from will not be implied, 1498.
when carrier must show absence of, 1516.
custom or usage will not relieve from, 1522, n.
in delivery by warehouseman, 1526.
in failing to identify consignee, 1526, n.
of shipper in marking goods, 1535.
burden to show that injuring live stock, 1548.
in caring for animals being shipped, 1548.
of owner in loading live stock, 1550.
in failing to feed and water animals, 1554.
liability of lessor and lessee for, 1573.
must be before passenger can recover, 1583.
in constructing roadbed and tracks, 1586.
in failing to make inspections, 1587.
in stopping or starting trains, 1589.
in suddenly starting train, 1589, n.
in failing to apply brakes, 1589, n.
in maintenance of depots or station buildings, 1590.
stipulation in pass against liability for, 1606.
validity of stipulation in pass exempting carrier from, 1608.
degrees of, 1609.
of sleeping-car company in caring for property, 1622.
effect of in loss of baggage, 1623, 1652.
in operating trains, 1625.
validity of contract against liability for, 1627.
of conductor in starting trains, 1628, n.
when presumption of raised by fact that there was collision, 1635.
in placing tracks close together, 1636.
liability for that of sleeping-car employes, 1640.
inferring from circumstances, 1644.
may be pleaded generally, 1689c.
sufficiency of allegations of, 1694, n.
must be proved as charged, 1696.
plaintiff limited to that charged in his complaint, 1697.
may be pleaded generally, 1697.
instructions as to presumption and burden of proof in actions for injuries to passengers, 1830.

NEGLIGENCE PER SE,
when violation of ordinance is, 711, 1698.
to refuse to repair railroad crossing, 1134.
breach of statutory duty as, 1155.
when rate of speed is not, 1160.
in making flying switch, 1162.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1891–1851.]

NEGLIGENCE PER SE—Continued.
no rate of speed is, 1204.
omission of signals is not, 1206.
rate of speed of freight train is not, 1225.
in allowing accumulation of combustible material, 1226.
erecting wooden building near railway track is not, 1238, n.
when staking cars is not, 1258.
sounding whistle is not, 1264.
failing to feed and water live stock, 1554.
in attempting to board moving train, 1628, n.
in standing on steps of moving car, 1630.
in assuming place of danger, 1633.
effect where passenger's conduct is, 1642.

NEGLIGENT ACTS,
award of compensation in condemnation cases does not cover anticipated, 1005.

NEGOTIABLE BONDS,
See MUNICIPAL BONDS.
when municipal corporations may execute, 839.

NEGOTIABLE INSTRUMENTS,
when shares of stock are, 79.
corporate power to issue, 342.
railroad bonds regarded as, 484.
when interest coupons are, 486.
receiver's certificates, 594.
municipalities can not execute to railway companies, 835.

NET EARNINGS,
dividends can only be declared out of, 83.
what are, 83, n.
right to as between life tenant and remainderman, 307.
when may be mortgaged, 495.
what included within, 495.
chargeable with operating expenses during receivership, 581, n.
as affecting reasonableness of rates, 693.

NET INCOME,
discretion of directors in determining what is, 482.

NET PROFITS,
what are, 316, n.

NEW CERTIFICATES,
issue of in place of lost ones, 80.

NEW CHARTER,
See CHARTER.
how affects stockholders, 43.
distinguished from amendment, 46, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NEW COMPANY,
chartering on repeal of old charter, 59.
when special privileges and immunities pass to on consolidation, 330.
duties and obligations of on consolidation, 332.
liability on old contracts after consolidation, 333.
liability of for torts, 334.
is usually formed by consolidation, 335.
liabilty of that formed by purchasers at foreclosure sale, 532.
public aid not restricted to, 829.

NEW INVENTIONS,
See INVENTIONS; MACHINERY; APPLIANCES.
employer not bound to discard machinery for, 1272, n.
carrier not required to adopt, 1588.

NEW MATTER,
must be specially pleaded, 1694.

NEW SHARES,
informality in creating, effect, 155.
right of remainderman to, 307.
who entitled to when stock dividend is declared, 320.

NEW STOCK,
how disposed of, 87.

NEWSBOYS,
whether passengers on street cars, 1096cs.

NEXT OF KIN,
who are, 1372.

NITRO-GLYCERINE,
shipment on passenger trains prohibited, 725.

NOISE,
right of adjoining owner to complain of, 418.
compensation for damage from, 978, 996.
obscuring sound of approaching train, 1167.

NOMINAL DAMAGES,
defined, 1798.

NOMINAL PARTIES,
right to remove cause can not be secured by joining them, 647.
who are, 647, n.

NON-COMPETING LINES,
may consolidate, 385, n.

NON COMPOS MENTIS,
transfer of stock by person who is, 93.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NON-DELIVERY,
See EXCUSES FOR FAILURE TO DELIVER.
proof of, when raises presumption of negligence, 1516.
caused by acts of shipper, owner or consignee, 1535.
excused by failure to produce bill of lading, 1535.
stoppage in transitu as excuse for, 1539.

NON-PAYMENT OF FREIGHT,
as ground for refusal to carry goods, 1466.

NON-RESIDENT,
when railway company is, 24.
when eligible to office of director, 241.
may be trustee in trust deed, 501.
competency to act as receiver, 561.
effect of insolvency laws on, 599, n.
suing wherever process can be served, 623.
obtaining jurisdiction over by publication, 624.
right to remove causes to the federal courts, 645.
signing petition for grant of public aid, 858.

NON-RESIDENT ATTACHING CREDITOR,
rights of foreign receiver similar to, 555.

NON-RESIDENT CORPORATION,
power to acquire real estate, 933, n.

NON SUI JURIS,
duty to fence against child who is, 1190.
effect where child is, 1261.

NONSUIT,
in fire cases, 1243.
practice on motion for, 1702, n.

NON-TRANSFERABLE TICKETS,
when may be issued, 1599.

NON-USER,
as ground for forfeiture, 48.
temporary interruption is not, 51.
as ground for appointment of a receiver, 538, n.
of franchises, when constitutes abandonment, 931.
as evidence of intent to abandon, 931.

NOTES,
See PROMISSORY NOTES.
power of corporation to give, 42.
paying subscriptions in, 110.
for fraudulent subscription, when may be enforced, 131.
power of directors to authorize sale of, 258.
when liability on can not be escaped by reorganization, 535.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NOTICE,

See KNOWLEDGE; JUDICIAL KNOWLEDGE.
to purchaser of corporate stock, 94.
of transfer of stock which has not been registered, 98, n.
of by-law creating lien on stock, 99.
to subscriber of performance of conditions, 116.
to pay subscription, when required, 133.
to pay calls, 134, n.
of call not required before suit, 140.
of calls and assessments, requisites of, 141.
waiver of, of calls and assessments, 143.
sufficiency of before forfeiture of stock, 152, n.
of forfeiture of stock, 153.
when required of stockholders' meetings, 164.
to stockholder is not notice to corporation, 171.
to agents or officers, 226.
to corporation, where agent is acting adversely, 226.
required of special meetings of directors, 261.
not required to be given of stated meeting of directors, 262.
how should be given to directors of special meeting, 262.
to directors is notice to company, when, 268.
of authority of president, effect of, 288.
to treasurer, when notice to corporation, 293, n.
of superintendent's authority, who chargeable with, 297.
to consolidated company of mortgage, 336, n.
of charter provisions by contracting parties, 350.
of corporate power to contract, 351.
when bonds are, of conditions in trust deed, 484.
when pendency of suit is to purchaser of bonds, 484.
of intention to declare entire mortgage debt due, 506.
of sale by trustees, 514.
of appointment of receiver, 556, n.
of application for a receiver, 558.
to persons dealing with receivers, 567, n.
when necessary before fixing receiver's compensation, 584.
to parties before issuing receiver's certificates, 591.
questioning receiver's certificates for lack of, 596.
of injunction against strikers, 633.
power of legislature to dispense with, 666.
when must be given by railroad commissioners, 695.
necessary to due process of law, 695.
of tax proceedings, 771.
of election to grant railway aid, 850, 859.
of election to grant public aid, 859.
effect where purchaser takes railway aid bonds on, 893.
as affecting bona fide holder, 896.
recitals in bonds as, 896.
as affecting right to municipal aid bonds, 917.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NOTICE—Continued.
of covenants, 945.
by occupancy and use of roadbed, 949.
of condemnation proceedings, 1001, 1019, 1025.
to a purchaser by existence of railroad, 1002.
before seizure of private property, 1019.
effect of that not provided for by law, 1019.
requisites of that in appropriation cases, 1019.
power of legislature over, 1020.
when that in appropriation cases void for indefiniteness, 1020.
by publication and posting in condemnation cases, 1020.
political question as to expediency, 1021.
sufficiency of as to description in appropriation cases, 1022.
service of in appropriation cases, 1023.
defective description in condemnation notice cured by amendment, 1022.
when that by mail is sufficient, 1023.
service of on agent, 1023.
sufficiency of that to infants, 1023.
to mortgagees, of condemnation proceedings, 1025.
of arrival of goods, 1527a.
of meeting of jurors in condemnation cases, 1034.
of time of holding court, 1034.
of adjournment in appropriation cases, 1034.
waiver of defects in, 1047.
of appeal in appropriation cases, 1053.
when subcontractors must give to owner, 1070.
as condition of acquiring lien, 1071.
sufficiency of to acquire lien, 1071.
of street opening proceedings, 1100.
service on station agent, 1100, n.
to company to put in private crossings, 1142.
of defects in crossings, 1176.
of defective crossings, evidence of, 1177.
of defects in fences, 1185.
of tendency of timber to decay, 1200, n., 1278.
of injuries to animals, how to serve upon railway company, 1216.
as condition precedent to recovery of double damages, 1219.
to licensee of dangers, 1250.
of change in time tables, 1281.
to employer of defects, 1296.
to train dispatcher not notice to the company, 1322, n.
of delivery, 1410.
to shipper of connecting carrier's refusal to receive freight, 1440.
to succeeding connecting carrier, 1449.
to shipper of legal proceedings, 1461.
to consignee of arrival of goods, 1464.
to consignee, terminating liability as common carrier, 1464.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NOTICE—Continued.
when has effect to limit liability, 1495.
effect of general one limiting liability, 1501.
when not necessary as to loss of freight, 1512.
to agent of consignee, 1524.
to consignee or his agent, 1527.
of arrival of goods, 1527.
to consignor of consignee's refusal to accept goods, 1530.
by carrier of taking of goods under legal process, 1537.
of attachment proceedings, 1538.
of exercise of right of stoppage in transitu, 1542.
where third party lays claim to freight, 1544.
duty to furnish cars on, 1551.
before right to charge demurrage, 1567.
to passenger of rules and regulations, 1576, 1627.
of stopping and starting trains, 1628, n.
that conductor has no authority to carry passengers on freight trains, 1629.
that merchandise is shipped as baggage, 1649.
limiting liability for baggage, 1661.
effect of that on back of ticket, 1661.
to furnish cars, 1691.
pleading failure to give notice of claim of damages, 1717.
damages for delaying notice of arrival of goods, 1732.

NOTICE TO CONSIGNEE,
generally, 1364.
when notice to agent is sufficient, 1524, 1527.
custom or usage requiring, 1527.

NUDUM PACTUM,
when subscription is, 113.

NUISANCE,
railroad operated by individual may be, 1.
liability of consolidated company for continuance of, 332.
liability of lessee for maintaining, 471.
liability of receiver for one created by the corporation, 581, n., 718.
injunction against, 631, 1096.
created by failing to build and maintain suitable crossings, 639, n.
power of legislature to declare a thing to be, 664, n.
railway depot is not, 665.
grade crossing may be, 671.
indicting railroad company for maintaining, 718, 1096.
civil liability for maintaining, 718.
when railway company not liable for, 718.
effect where company in hands of receiver, 718.
liability for maintenance of, 1057j.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

NUISANCE—Continued.
construction of road so as to cause accumulation of stagnant waters, 1057i.
by constructing unauthorized road, 1056.
company liable for, 1063.
when contractor liable for, 1063.
street railway becoming, 1088.
when constructing railroad in street is, 1090.
when unauthorized use of steam is, 1090.
injunction to prevent maintenance of, 1096.

NUL TIEL CORPORATION,
plea of, after expiration of charter, 62.
plea of, generally, 616, n.

NUMBER OF CROSSINGS,
to which railway companies are entitled, 1124.
private crossings, 1143.

NUMBER OF DIRECTORS,
naming in articles of association, 36.
how fixed, 239.

NUMBER OF INCORPORATORS,
stating in articles of incorporation, 18.

NURSING AND CARE,
providing for injured employe, 222.
as element of damages, 1820.

O

OATH,
of jurors and commissioners in condemnation cases, 1018.

OBJECT OF INCORPORATION,
stating in articles, 18.

OBJECTIONS,
stockholders waiving to lease, 442.

OBLIGATION OF CONTRACT,
removing causes where state law impairs, 652.
can not be impaired, 687.
impairing by taxation, 768.
impairing by tax on bonds, 769.
when constitutional provisions do and do not impair, 819.
when impaired by condemnation of franchises, 968.
impairing by grant of conflicting franchises, 968.
effect of statutes imposing absolute liability, 1223.

OBLIQUE APPROACHES TO HIGHWAYS,
duty to fence at, 1197.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

OBSTRUCTED VIEW,
See RAILROAD CROSSINGS.
duty of company where there is, 1161.
duty of traveler where there is, 1164.

OBSTRUCTION,
effect of delay caused by, 1484.
indictment for obstructing track, 730.
placing obstruction on track to obtain reward, 730.
of water courses by bridges, etc., 1057d.
injuries to travelers by obstructions placed by street railway company, 1096cc.
injuries by closing train at crossing without warning, 1179h.
injuries to passengers from, 1636.
placed dangerously near the track, 1636.

OBSTRUCTION OF HIGHWAYS,
indictment for, 719.
railroad company liable for acts of employes though in violation of instructions, 719.

OBVIOUS DEFECTS,
See DEFECTS; LATENT DEFECTS.
inspecting foreign cars for, 1279.
assumption of risks from, 1288.
contracting against liability for injuries caused by, 1358.

OBVIOUS RISKS,
assuming outside line of duty, 1304.

OCCUPATION TAX,
may become a matter of contract, 768.

OCCUPYING CLAIMANTS,
compensation to on taking public lands, 1003c.

OFFENSES,
See CRIMES; PENAL OFFENSES.
railway commissioners can not define, 677.
stealing rides, 729.
indictment for obstructing track, 730.
placing obstruction on track to obtain reward, 730.
illegal use of pass, 734.
injuring street railway tracks, 1096ar.
acceptance of goods where transportation would violate law, 1414a.

OFFER OF COMPROMISE,
value cannot be proven by, 1218, n.

OFFER OF GOODS,
where there is failure to furnish cars, 1476.
burden on plaintiff to show, 1477.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

OFFICE FURNITURE,
when subject to general mortgage lien, 495.

OFFICERS,
See DIRECTORS; PRESIDENT; SECRETARY; TREASURER; SUPERINTENDENT; GENERAL MANAGER.
making affidavit for removal to federal court, 23.
power to buy and sell stock, 93.
voting for by proxy, 162.
power to make rules and regulations, 199.
corporations act through, 203.
how appointed by railroad companies, 204.
inherent power to choose, 206.
qualifications of, 207.
election of, 208.
what powers may exercise, 208.
notice to, 226.
compensation of, 230.
bonds of, 232.
sureties on bonds of, 233.
different classes of, 234.
elected at meeting outside of state, 246.
effect of failure to elect, 248.
effect of personal interest in contract, 348.
discretion as to time and manner of sale, 524.
when not guilty of fraud in sale and reorganization, 535, n.
appointing receiver on resignation of, 543.
when are receivers of the court, 546.
when should not be appointed as receivers, 561.
corporation preferring as creditors, 604.
omission to elect does not work dissolution, 606.
service of process upon those of corporation, 621.
discretion of can not be controlled by injunction, 634.
effect of paying them extravagant and unreasonable salaries, 693.
may be guilty of embezzlement, 734.
how state bound by acts of its officers, 806.
validity of contract by to control location, 928.
can not take construction contract, 1058.
issuing passes to families of, 1612.

OFFICERS DE FACTO,
when directors become, 243.
what constitutes, 244.

OFFICERS DE JURE,
illustrative cases of, 246.

OFFICIAL ACTION,
how should be taken by directors, 255, 256.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

OFFICIAL CERTIFICATES TO BONDS,
conclusiveness of, 900.

OMNIBUS DRIVER,
right to expel from railroad premises, 200, n.

OPEN AND CLOSE,
in appropriation cases, 1035.

OPEN DEFECTS,
See OBVIOUS DEFECTS.
assumption of risks from, 1288.

OPERA GLASSES,
as baggage, 1647, n.

OPERATING EXPENSES,
paying before mortgage debt, 495.
what are regarded as, 528, n.
duty of receiver to pay, 566, n.
what claims classed as, 580.
priority over mortgage bonds, 580.

OPERATION OF THE ROAD,
See SPEED.
liability of receiver on claims arising from, 580.
mandamus to compel, 638.
when running gravel train is operating a railroad, 1, n.
right of appraiser in condemnation proceedings to consider possibility of negligent operation, 991b.
instructions in actions for injuries at railroad crossing, 1850.
instructions in actions for injuries to persons near railroad tracks, 1851.

OPINION,
when does not amount to fraud, 127.
when expression of does not constitute fraud, 127, n.
as part of the res gestae, 218.

OPINION EVIDENCE,
See EXPERT TESTIMONY.
in suits against carriers, 1695, n.
jury not bound by, 1038.
as to value of real estate, 1038.
when witnesses may give, 1038.
as to value of animals, 1218.
as to value in fire cases, 1239.

OPTION.
owner of on stock is not entitled to dividends, 306.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

OPTION—Continued.
to declare entire mortgage debt due, 506.
of shipper to accept reduced rate, 1504.

ORAL EVIDENCE,
See PAROL EVIDENCE.
as to necessity for a receiver, 558, n.
in support of objections to report of commissioners, 1044.

ORAL NEGOTIATIONS,
merged in written agreement, 1423.
when merged in bill of lading, 1503.

ORDER,
appointing receiver, 562.
giving authority to issue receiver's certificates, 591.
confirming report of commissioners, 1045.
disobedience as contributory negligence, 1313, 1314.
effect of inconsistent, 1314, n.

ORDERS,
service of orders of interstate commerce commission, 1672a.
information and review of orders of interstate commerce commission, 1672a.

ORDINANCES,
See STATUTE.
regulating speed of trains, 670.
mandamus to compel obedience to, 698, n.
proximate cause where they have been violated, 711.
violation as proof of negligence, 711, 1095, 1214.
requiring signals, 721.
governing speed, 721.
granting right to construct railroad in street, 1078.
becoming binding contract, 1079.
repealing or amending, 1079.
holding part good and part bad, 1082.
presumption that they are reasonable, 1082.
granting street railway companies rights in streets are contracts, 1096, n.
relating to issuance of street railway transfers, 1096db.
effect of violation of in operation of street cars, 1096cf.
limiting speed of trains, 1082.
when void for unreasonableness, 1082,
prohibiting smoking in street cars, 1082, n.
running trains in violation of, 1155, n.
requiring flagmen at crossings, 1157.
when violation of amounts to an invitation to cross, 1171.
violation of does not relieve traveler from exercising care, 1165.
regulating speed of trains, 1204.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1891–1851.]

ORDINANCES—Continued.
violation must be proximate cause, 1310.
violating as to speed, 1589.
effect of disobedience, 1589, n.
when need not be copied in complaint, 1698.
judicial knowledge of, 1698.
how and when to plead, 1698.

ORDINARY CARE,
See CARE; NEGLIGENCE.
when company must use at crossings by custom or license, 1154.
definition of, 1156, 1165.
jury determining what constitutes, 1156.
traveler must use at crossings, 1163, 1165.
contributory negligence in failing to use, 1171.
in looking out for animals, 1205.
to furnish reasonably safe working place, 1268.
duty to use in furnishing machinery and appliances, 1273.
how to determine what is, 1273.
in adoption of rules, 1280.
to provide trains with sufficient crew, 1287.
in selection of employes, 1292.
employe bound to use to remedy defects, 1293.
in making inspections, 1299.
in selecting telegraph operators, 1328.
duty to use to avoid unreasonable delay, 1483.
what amounts to, 1590.
as to maintenance of depots and station buildings, 1590.

ORDINARY NEGLIGENCE,
carrier limiting its liability for, 1498.

ORDINARY RISKS,
See ASSUMPTION OF RISKS.
assumption of, 1288.

ORGANIC CHANGES,
power of directors to make, 252.

ORGANIZATION,
of corporation, perfecting, 19.
waiving defective corporate, 20.
collateral attack on, 20.
power of corporation to carry into effect object of, 42.

ORIGINAL BILL,
when receiver need not be prayed for in, 558.

ORIGINAL CARRIER,
See INITIAL CARRIER.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

OVERCHARGES,
penalty for making, 714, n.
carrier liable for, 1563.
how affected by interstate commerce law, 1564, n.
demurrage is not, 1567.

OVERDUE COUPONS,
effect on negotiability of bonds, 484.
negotiability, 486, n.

OVERHANGING OBJECTS,
See LOW BRIDGES.
injury to employe by overhanging tree limb, 1272.

OVERHEAD CROSSINGS,
when company may be required to construct, 1110.
railroad crossing by, 1123.
effect where expense of will be great, 1123, n.
injunction as remedy to compel construction of, 1125.
ordering street railway to construct, 1135.
to serve as private crossing, 1147.

OVERHEATED ANIMALS,
duty of carrier towards, 1548b.

OVERISSUE,
of stock, lost or forged certificates, 80.

OVERLOADING CARS,
liability of street railway company for, 1096cv.

OVERVALUATION,
effect of transferring property to corporation at, 175.
of stock, validity of, 89.
stock paid for by overvalued property, 91.

OWNER,
who regarded, in condemnation proceedings, 1000a.

OWNERSHIP,
must be claim of to constitute adverse possession, 948.
as affecting condemnation proceedings, 1030.
possession as evidence of, 1212.
of animals killed or injured, 1212.
of property burned, 1233.
must be alleged in suit to recover for fire losses, 1241.
acceptance of goods as estoppel to raise question of, 1413a.
presumption and burden of proof of ownership to road or engines causing injury, 1777.
admissibility of evidence on question, 1795.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

P

PAID UP STOCK,
when corporation estopped to question, 79, n.
issuing to creditor in settlement of claim, 90.
paying for property with, 91.
issuing for less than par value, 110.
when liable to assessment, 148.

PAIN AND SUFFERING,
as elements of damages, 1815.
admissibility of declarations of, 1689i.

PALACE CAR COMPANIES,
See SLEEPING CAR COMPANIES; PARLOR CAR.

PARALLEL LINES,
See COMPETING ROADS.
when one may not become officer of, 207.
when may consolidate, 322.
condemning land for, 974.
consolidation of competing interurban railways, 1096bl.

PARALLEL TRACKS,
condemning land for, 960, n., 974.
right to lay at highway crossings, 1099.
injuries to travelers on highway, 1179i.

PARENT AND CHILD,
See CHILDREN.
recovery by parent for injury to child, 1822.
contributory negligence of in allowing children to trespass, 1255.
imputing their negligence to children, 1262.

PARK,
when street can not be opened through, 1104.
condemnation of land through, 970.
construction of street railways to, 1096b.

PARLOR CAR,
rights of persons holding passes to be carried in, 1614.
relation of railroad company to passenger riding in, 1625.
when passenger may ride in free, 1626.
compensation for riding in, 1626.
extra fares for riding in, 1626a.

PARLOR CAR COMPANIES,
See SLEEPING CAR COMPANIES.
duties and liabilities of, 1618.
as instruments of interstate commerce, 1618.
taxation of, 1618, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PAROL AGREEMENTS,
how subscriptions affected by, 127.
to put in private crossing, 1149.

PAROL CONDITIONS,
to subscriptions are void, 112.
effect of failure to perform in subscriptions, 119.

PAROL CONTRACT,
as bill of lading, 1415, n.

PAROL DECLARATIONS,
when corporate officer's amount to fraud, 128.

PAROL DEDICATION,
when and to whom can be made, 947.

PAROL EVIDENCE,
See EVIDENCE; PROOF.
to show that subscription is an escrow, 114.
when inadmissible to change subscription to stock, 114, n.
not ordinarily admissible to vary written subscription, 119.
when fraud may be shown by, 129.
of by-laws, 195.
to supply omissions in corporate records, 266, 267.
as to dedication, 947.
to show right of way, 973, n.
to prove fact of delivery of freight to carrier, 1413.
to contradict bill of lading, 1415, 1419.
to show contents of goods on which bill of lading issued, 1420.
to explain ambiguity in bill of lading, 1423.
to show fraud or mistake in bill of lading, 1423.
to explain meaning of technical terms, 1425.
when written contract can not be varied by, 1494, 1503.
to show contract with passenger, 1593.
as to contract for sleeping car ticket, 1620.

PAROL LICENSE,
See LICENSE.
placing parties in statu quo on revocation, 949.
when death has effect of revoking, 949.
ejectment on revocation of, 949.
when landowner not permitted to revoke, 949, n.
rails laid under, 998, n.
effect where road is constructed under, 1048.

PAROL LIMITATION,
of carrier's liability, 1503.

PAROL PROMISES,
how affect subscriptions, 127.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PAROL SUBSCRIPTION,
may be valid, when, 103.

PART DELIVERY,
See DELIVERY.
effect of that by the carrier, 1533, n.
effect on right of stoppage in transitu, 1543.
effect on lien of carrier, 1572.

PART PAYMENT,
See PAYMENT.
when constitutes waiver of conditions in subscriptions, 115.

PART PERFORMANCE,
of leases, effect, 454.

PARTICULAR SUBJECTS,
vice-principal as to, 1319.

PARTICULAR TRACT,
damages confined to, 992.

PARTIES,
See PLAINTIFF; DEFENDANT.
in proceedings to forfeit corporate charter, 53.
when stockholders may become, 167.
to suits after consolidation, 338.
to foreclosure suits, 508.
consenting to decree of foreclosure, 516.
appeal as to part of, 518.
to suit attacking fraudulent foreclosure sale, 529.
can not secure appointment of receiver by consent, 541.
to proceedings for appointment of receiver, 557.
relative of should not be appointed receiver, 561.
should not ordinarily be appointed receivers, 561.
agreeing upon receiver, 561.
when receivers may be substituted as, 574.
right of director to intervene as defendant, 617, n.
to injunction suit against strikers, 633.
who may be relator in suit for mandamus, 643.
as affecting removal of causes to federal court, 647.
court arranging as plaintiffs and defendants before removing cause, 647.
whether all defendants must join in petition for removal of cause, 656a.
to suits against railroad commissioners, 703.
in suits to enforce penalties, 713.
raising question by demurrer, 713.
bound by judgment, 914.
to condemnation proceedings, 1001.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PARTIES—Continued.
can not confer jurisdiction by consent, 1014.
in appropriation cases, 1025.
grantor or grantee as parties to condemnation, 1025a.
judgment creditors as to condemnation proceedings, 1025.
effect of omitting in condemnation proceedings, 1025.
amendment in condemnation cases as to, 1026.
entertaining jury, effect, 1046.
to action by land-owner for unauthorized appropriation of property, 1049c.
to appeal in appropriation cases, 1053.
effect of practical construction of contracts by, 1058, n.
to enforcement of construction liens, 1074a.
railway as party defendant to street crossing proceedings, 1100.
where insured property destroyed by fire, 1233.
insurance company as real party in interest, 1234
in actions for injuries by fires, 1240.
in suits for injuries causing death, 1368.
consenting to deviation from route, 1440.
determining law of their contract, 1494.
to suit for loss of baggage, 1658.
to action against common carrier, 1692.
where loss was paid by insurance company, 1692, n.
inspection and physical examination of, 1699.
right to sue third persons for injuries to goods, 1705.

PARTITION PROCEEDINGS,
record of as evidence of title, 1030, n.

PARTNERS,
when promoters are, 13.
may sell and transfer partnership stock, 93.
right to vote stock, 156, n.
when stockholders liable as, 190.
when shareholders are, 619.
connecting carriers as, 1441.
when connecting carriers liable as, 1445.
when connecting carriers are not, 1452.

PARTNERSHIP,
when attempted corporate organization results in, 199.
duty to fence road operated by, 1208.
for joint carriage, 1444.
joint rates do not make, 1445.
what constitutes between connecting carriers, 1445.

PARTY RATES,
under interstate commerce act, 1687.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PAR VALUE,
when stock must be taken at, 109.
when stock can not be issued for less than, 110.
assessments on stock can not exceed, 147.

PASSAGE,
See PRIORITY OF PASSAGE.
priority of at railway crossings, 1133, 1153.

PASSENGER CAR,
See CARS.
negligence in assuming dangerous position in, 1633.
negligence in standing up in, 1633.

PASSENGER CARRIER,
See CARRIERS OF PASSENGERS; PASSENGERS.
when no implied duty on part of to carry goods, 1392.

PASSENGER STATION,
See DEPOTS; STATIONS.
power to erect in foreign state, 251.
no duty to fence at, 1194.

PASSENGERS,
See CARRIERS OF PASSENGERS; INJURIES TO PASSENGERS.
street railways common carriers of, 6.
implied authority to collect fare from, 41.
maintaining restaurants for, 41.
rules and regulations affecting, 41.
right to prescribe rules for regulation of, 200.
when may be carried on freight trains, 200.
duty to inform themselves when and where trains stop, 200, n., 1576, n., 1593.
effect of assuming duty to furnish surgeon for, 222.
furnishing medical attendance to, 222, n.
assaults on by conductor, 302, n., 1638.
authority of station agent over, 303.
power to make special contract for carriage of, 364.
contracting for conveyance beyond line, 374, n.
authority of receiver to carry, 366.
receivers liable for personal injuries to, 577.
mandatory injunction to secure conveniences for, 635.
compelling company to maintain accommodations for, 662.
regulating compensation for carriage of, 672, 689.
tax on those carried, 763.
providing for comfort of, 931.
municipality fixing rate for carrying, 1081.
duty to repair crossings owing to, 1112, 1134.
injured in collisions at crossings, 1132.
power of city to limit number on street cars, 1096ag.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PASSENGERS—Continued.
negligence of driver of vehicle not imputed to, 1174.
injuries to by failure of duty to fence, 1191, 1270.
duties to in reference to track, 1192, n.
duty to servant of, 1256.
whether employe carried to and from work a passenger, 1303a.
duty to friends of, 1256.
porters on palace car as, 1320, n.
duty to carry is a public duty, 1392, 1574.
no duty to carry on all trains, 1392.
implied obligation to carry, 1393.
who have contagious disease, 1393, n.
reasonable time to remove baggage, 1464, n.
effect where they are carried on freight trains, 1466, n.
contracting against liability for injuries to gratuitous, 1498.
no duty to carry on all trains, 1573.
when may sue two companies, 1573.
duty to receive and carry, 1574.
rush of business as excuse for refusal to carry, 1575.
disregarding rules and regulations, 1576.
duty to obey rules and regulations, 1576.
duty to ascertain when trains stop, 1576, n.
may rely on statements of conductor, 1576, n.
improper or unfit persons, 1577.
seeking to deprive carrier of business, 1577.
right to refuse to carry on account of color or race, 1577a.
who are, 1578, 1578a, 1578b, 1840.
burden of proof as to who are, 1578b.
carrier not bound to accept insane person as, 1577, 1621.
refusing to carry intoxicated person as, 1577.
on street cars, 1096cr, 1096cs.
presumption that person on train is, 1578.
mail agents as, 1578.
postal clerks as, 1578.
person on train to assist, 1578.
leaving train temporarily, 1578.
persons may be before payment of fare, 1578.
persons on train by mistake, 1578.
when employes are, 1578.
express messengers as, 1578.
government soldiers as, 1578, n.
when relation of carrier and passenger begins, 1579.
holder of ticket not always one, 1579.
authority of subordinate employes to create relation of, 1580.
obeying directions of employes, 1580.
power of conductor to make a person a, 1580.
taking passage on freight trains, hand-cars and the like, 1582.
carrier not insurer of safety of, 1583.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PASSENGERS—Continued.
can only recover for negligence, 1583.
rule where injured by accident, 1584.
assume some risks, 1585.
duty to fence owing to, 1586, n.
duty to give signals for protection of, 1589.
assuming risks of jerks and jolts, 1589.
duty to protect from injury by third persons, 1591.
reasonable time to leave depot or train, 1592.
right to temporarily leave train, 1592.
parol evidence to show contract with, 1593.
ticket as evidence of rights of, 1594.
when may be expelled, 1594.
when conductor not bound to take statement of, 1594.
giving them reasonable time to search for lost tickets, 1594, n.
when entitled to stop-over privileges, 1595.
when journey regarded as commenced, 1598.
when may rely on representations of agent, 1598.
when must sign name to ticket, 1600.
extra charge where they do not hold tickets, 1603.
no lien on for fare, 1603.
giving them reasonable time to pay fare, 1603, n.
when persons riding on passes are, 1604.
when employes riding on passes are, 1604.
when drovers riding on passes are, 1605.
refusal of berth because of disease, 1617.
sleeping-car companies can not refuse to receive, 1617.
assaults on by porter or conductor, 1618.
how many sleeping-car berths may be sold to one, 1620.
duty of sleeping-car company as to property of, 1621.
duty to awaken, 1621.
duties of sleeping-car companies to, 1621.
burden of proof to show loss of baggage, 1623.
retaining custody of baggage, 1623.
liability of sleeping-car companies for property of, 1623.
contributory negligence of in loss of property on sleeping car, 1624.
relation of railroad company to those traveling in sleeping car, 1625.
notice to of rules and regulations, 1627.
injuries to, 1628-1645.
failure of carrier to stop at stations, 1627a.
duty to assist in alighting from train, 1628, n.
starting trains while they are alighting, 1628.
obeying directions of conductor, 1628, n.
care due to those riding on freight or mixed trains, 1629.
right to refuse to carry on freight trains, 1629.
effect of failure to furnish them seats, 1630.
going from one car to another, 1630.
injury to those riding in baggage car, 1631.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III.* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PASSENGERS—Continued.
injury to while riding in dangerous or improper place, 1632.
extending arm out of window, 1633.
leaning head out of window, 1633.
negligence in standing up in passenger car, 1633.
injury by derailment, 1634.
leaping from train to avoid collision, 1635, n.
ejection of, 1637.
unnecessary force must not be used in ejecting, 1637.
right to resist wrongful ejection, 1637.
employes assaulting and injuring, 1638.
assault by fellow-passenger, 1638.
injury by fellow-passengers or third persons, 1639.
duty of conductor to protect, 1639.
injury by mail pouch thrown from car, 1639, n.
injuries received in sleeping cars, 1640.
effect where they are guilty of negligence in alighting from train, 1641.
effect of contributory negligence of, 1642.
when justified in obeying directions of trainmen, 1643.
employes are not, 1644, n.
station in life as determining what is personal baggage, 1647.
rule where they retain custody of baggage, 1654.
baggage should be transported on same train with, 1656.
duty to call for baggage, 1659.
separate accommodations for white and colored, 1665.
power of state to provide for safety of, 1668, n.
duty to carry owing to the general public, 1690.
actions for injuries to, 1696.
pleading existence of relation, 1756.
injuries to, 1757.
injuries due to failure to heat cars, 1758.
injuries to street railway, 1759.
in actions for ejection, 1760.
presumptions and burden of proof of relation, 1776.
evidence as to whether injured person was, 1784.
in actions for injuries in boarding or alighting, 1787.
in actions for a wrongful ejection, 1789.
instructions in actions for injuries to, 1830.
as to degree of care required in transportation of, 1831.
on question of contributory negligence of, 1832.
on assumption of risk by, 1833.
on wilful injury of, 1834.
where injured by trainmen or other passengers, 1836.
on ejection of, 1837.
relating to taking up of, 1840.
as to care towards alighting, 1841.
injuries from collision or derailment, 1842.

Digitized by Google

PASSENGERS—Continued.
on burden of proof in actions for injuries, 1843.
measure of damages for injuries to, 1848.

PASSENGERS FOR HIRE,
drovers usually are, 1605.
when persons riding on passes are, 1608.

PASSENGER TRAINS,
effect of failure to run regular, 51.
mandamus to compel company to run, 639.
how failure to run affects question of abandonment, 931, n.
precedence over freight trains, 1133.

PASSES,
See TICKETS.
when lessee not bound to honor, 436, n.
lessee not bound to furnish on lessor's contract, 462, n.
statutes requiring railroad companies to furnish to live stock shippers unconstitutional, 672.
illegal use of, as criminal offense, 734.
effect of receiver's contract to give, 567, n., 1611.
receiver no power to bind company by oral contract for annual, 590, n.
effect of agreement to give, 941, 1611.
effect of covenant to give, 946, 1611.
limiting liability to persons riding on, 1498.
drover riding on is a passenger, 1604, 1605.
postal clerks riding on, 1604.
sleeping-car porters riding on, 1604.
when person riding on is a passenger and when not, 1604.
validity of those obtained by fraud, 1604, 1610.
when employe riding on is a passenger, 1604.
express messengers riding on, 1604.
duty to persons riding on, 1606.
stipulation in against liability for negligence, 1606.
fraud in obtaining possession of, 1606.
care due to minors riding on, 1606.
conditions in, 1607.
when persons holding must sign, 1607.
validity of stipulation exempting carrier from liability for negligence, 1608.
when not regarded as gratuitous, 1608.
effect where based on a consideration, 1608.
contracting against future negligence, 1608.
holder purchasing seat in drawing-room car, 1608, n.
injury to persons riding on, 1609.
law of what state governs, 1609, n.
contributory negligence of persons riding on, 1609, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PASSES—Continued.
person other than the one entitled to use a pass riding thereon, 1610.
effect of fraud in securing, 1610.
contracts to give, 1611.
what members of family may ride on family pass, 1611.
when contract to give runs with land, 1611.
validity of contract by receivers to give, 1611.
specific performance of contract to give, 1611.
measure of damages for breach of contract to give, 1611, n.
interstate commerce law, 1612.
issuing to families of officers and employes, 1612.
when a crime to issue, 1612.
discrimination by issuing, 1612.
statutes prohibiting granting of, 1613.
constitutional provisions prohibiting granting of, 1613.
public officers prohibited from accepting, 1613.
estoppel to question conditions in, 1613.
rights of persons holding to be carried in sleeping and parlor cars, 1614.
baggage of persons riding on, 1615.
ejecting persons who hold, 1637, n.

PASSWAY,
See CROSSINGS BELOW GRADE; SUBWAYS.
injunction to prevent filling up, 1147.
under railroad track, 1147.

PATENT FOR REAL ESTATE,
effect of, 797.

PAYMENT,
of capital stock as condition precedent to incorporation, 18.
for stock, agreement as to value of property, 91.
of cash deposit on subscription to stock, 106.
of subscriptions, 110.
enforcing that agreed upon by parties, 110.
when part is waiver of conditions in subscription, 115.
for corporate stock in property, 116.
of conditional subscriptions, 121.
when to make of calls and assessments, 133.
of calls, terms of, 134.
court compelling of calls and assessments, 146.
of receiver's certificates, 597.

PENAL OFFENSES,
See CRIMES; INDICTMENT.
railway company "person" within statutes in regard to, 21, n.
penal offenses by railroad companies, generally, 709.
penal statutes strictly construed, 710.
penal statutes no extra-territorial effect, 710.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PENAL OFFENSES—Continued.
right of action as affected by penal statutes, 711.
action for enforcement of penal statutes, 712.
informer's rights, 713.
parties in suits to enforce, 713.
rule for computing penalty, 714.
when penalty and when liquidated damages, 715.
indictment of railroad companies for causing death, 716.
violation of Sunday laws, 717.
railroad company guilty of by maintaining a nuisance, 718.
obstruction of highways, 719.
failure to maintain accommodations at stations, 720.
duty to give statutory signals, 721.
duty to stop at crossings, 721.
blackboards and bulletins at stations, 722.
unlawful speed, 723.
various penal regulations, 724.
violations of federal regulations, 725.
penalty for confinement of live stock, 726.
obstructing mails, 727.
interfering with interstate commerce, 727.
sale of tickets without authority, 728.
climbing on cars, 729.
evading payment of fare, 729.
placing obstruction on track, 729.
shooting or throwing missile at car, 731.
breaking into depot or car, 732.
burglary, 732.
injury to railroad property, 733.
malicious trespass, 733.
various crimes against railroad companies, 734.
guaranty of payment of contractors' claims, 1065a.

PENAL STATUTES,
corporations amenable to, 709.
strictly construed, 710.
no extra-territorial effect, 710.
comity in reference to, 710.
right of action as affected by, 711.
effect of violation as proof of negligence, 711.
action for enforcement of, 712.
what are, 715, 1361.
foreign state will not enforce, 1365.

PENALTY,
against street railway, 6.
foreign states will not enforce, when, 189.
enforcing by-laws by, 197.
for violation of rules and regulations, 201.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PENALTY—Continued.
directors subject to for violation of duty, 282.
effect of on prohibited contract, 381.
suit for can not be removed to federal court, 646.
power to impose in favor of private persons, 669.
power of railroad commission over, 679.
jury can not prescribe, 679.
where tariff rate is unreasonable, 691.
power of railroad commission to impose, 697.
for violating order of railroad commission, 699.
power of legislature to provide for, 709.
when receiver not subject to, 709.
civil action to recover, 713.
for refusal to redeem unused tickets, 709, n.
whether private injury essential to recovery of, 711a.
proof not so high in action for recovery as in criminal cases, 712.
whether actions for, are removable to federal courts, 713.
law not concerned with motive of party seeking to enforce, 713.
dividing between informer and state, 713.
when informer's right to becomes vested, 713.
effect where state fails to sue for, 713.
rule for computing, 714.
jury fixing amount of, 714.
when only one can be recovered, 714.
when cumulative, 714.
for making overcharges, 714, n.
cumulative, 714, n.
for failure to maintain water closets, 714, 720.
distinguished from liquidated damages, 715.
when attorney's fee is, 715.
for allowing trains to stand on crossings, 719.
for failure to establish stations, 720.
for failure to furnish cars, 722a.
for detention of baggage, 723a
for failure to give statutory signals, 721.
for failure to announce station, 724.
for confinement of live stock, 726, 726a.
for riding without paying fare, 727a.
for failure to make return for taxation, 743.
fixed in construction contract, 1062.
for failing to stop trains at crossings, 1131.
for failing to give signals, 1158.
double damages as, 1183, 1219.
in cases of injuries to animals, 1216.
effect where employers' liability acts merely prescribe, 1339.
for failure to feed and water live stock, 1554.
for failing to check baggage, 1605.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PENALTY—Continued.
for failing to deliver telegraph messages, 1670.
for failure to obey orders of interstate commerce commission, 1672a.

PENDING SUITS,
effect of consolidation upon, 338.

PENS,
See STOCK YARDS.

PEREMPTORY CHALLENGE,
when there may be, 1024, n.

PEREMPTORY DUTY,
distinguished from discretionary powers, 907.

PEREMPTORY INSTRUCTION,
when court must give, 1702.

PERFORMANCE,
rule where it becomes impossible, 935.

PERIL,
See FRIGHT; LAST CLEAR CHANCE.
rule where person acts on sudden or unexpected, 1173.
as an element of damages, 1818.

PERIODICAL INSTALLMENTS,
calls and assessments, 138.

PERISHABLE FREIGHT OR GOODS,
duty of initial carrier with reference to, 1432.
duty as to carriage of, 1449.
duty to provide cars and equipment for, 1475.
liability for loss of, 1516.
extra charges for transporting, 1566.
sale of by carrier, 1571.
effect of consignee's refusal to accept, 1571.

PERMANENT STRUCTURES,
injunction to prevent condemnation of, 1125.

PERMISSIVE PRIVILEGE,
where employe works outside scope of employment, 1303.

PERPETUITY,
avoided in franchises if possible, 39.
municipality can not grant, 1077.

PERSON,
railway company is, within constitution, 31.
a corporation is, 660, 773.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PERSONAL ACTION,
when may be maintained for calls and assessments, 150.

PERSONAL BAGGAGE,
See BAGGAGE.
what things are, 1647.

PERSONAL DECREE,
when may be rendered on foreclosure, 517, n.

PERSONAL DELIVERY,
See DELIVERY.
express contract to make, 1518.
when carrier must make, 1518.
rule requiring has been abrogated, 1527.

PERSONAL INJURIES,
See CARRIERS OF PASSENGERS: DAMAGES; INTERURBAN RAILWAYS; STREET RAILWAYS; INJURIES AT CROSSINGS; INJURIES TO EMPLOYES; INJURIES TO PASSENGERS; INJURIES RESULTING IN DEATH.
liability of consolidated company for, 334.
right of action for after foreclosure sale, 526, n.
suing receivers for without leave of court, 573.
receivers liable for those to passengers and employes, 577.
where action on account of may be brought, 623.
effect of contributory negligence, 1163.
caused by fires, 1247.
caused by throwing off mail bags, 1256.
resulting from failure to give statutory signals, 1264.
law of place of governing right of action, 1366.
damages for aggravating, 1369, n.
effect of death pending action for, 1375.
but one recovery for, 1375.
to person riding on pass, 1608.
exhibiting injured part to jury, 1699.
injuries to health of passengers from exposure, 1641a.
contributory negligence of passengers, 1642a.
injury to passenger by sudden closing of car door, 1644, n.
in ejection of drunken passengers, 1645a.
to passenger by cinders escaping from engine, 1645a.
pleading and evidence in actions for, 1756–1797.
pleading injury to passengers generally, 1757.
pleading existence of passenger relation, 1756.
expert testimony, 1782.
photographs as evidence, 1783.
evidence on question whether injured person was a passenger, 1784.
evidence where passenger injured on premises, 1786.
evidence in actions for injuries to passengers in transit, 1788.
evidence in actions for injuries at crossings, 1792.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PERSONAL INJURIES—Continued.
evidence in actions for injuries to persons away from crossing, 1794.
to passengers by trainmen or other passengers, 1836.
instructions on measure of damages for, 1848.

PERSONAL JUDGMENT,
when may be rendered in condemnation proceedings, 1033.
stockholders', who entitled to benefit of, 186.
of directors in matter of contract, 279.
corporate directors' for negligence, 281.
of directors in matter of declaring dividends, 318.
when receiver subject to, 576.
for local assessments, 789.
of stockholders to laborers, 1065.

PERSONAL LIABILITY,
of promoters of corporation, 13.

PERSONAL NOTICE,
See NOTICE.
in appropriation cases, 1019.

PERSONAL PROPERTY,
what railroad property is, 31.
shares of corporate stock, 79.
shares of stock, 92.
when rolling stock is, 389.
remedy of mortgage trustee for possession of, 514.
when subject to sale on execution, 520.
disposition of on dissolution of corporation, 611.
damage to in condemnation proceedings, 995.
injury to by fire, 1222.
buildings as, 1233.
possession as evidence of title, 1233, n.
measure of damages for burning, 1239.

PERSONAL REPRESENTATIVES,
as defendants in condemnation proceedings, 1025.
when entitled to compensation and damages, 1025.
when admissions admissible against, 1036.
rights where death is instantaneous, 1363.
suing for injuries causing death, 1368.
recovering for death, 1372.

PERSONAL RIGHT,
effect of conveyance of real estate on, 1000.

PERSONAL SERVICE,
sufficiency of, 1023, n.
when must be made on infant, 1025.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PETITION,
appointment of receiver upon, 558.
not necessary before railroad commissioners, 695.
amending in appropriation cases, 1026, n.
necessity for the including of descriptions in petition for condemnation, 1029.
sufficiency of in condemnation proceedings, 1027.
for writ of certiorari, 1054.
manner of testing petition in condemnation proceedings, 1029a.

PETITION FOR PUBLIC AID,
required, 822.
requisites of, 858.
when subject to collateral attack, 858.
jurisdiction of, 865.

PETITION FOR REMOVAL OF CAUSES,
See REMOVAL OF CAUSES.
diverse citizenship must exist at time of filing, 649.
as part of the record, 653.
when should be filed, 653.

PETITION IN CONDEMNATION CASES,
sufficiency of, 930.
averring things required by statute, 1028.
averring jurisdictional facts, 1028.
demurrer to, 1028.
amendment to, 1028.
must be signed, 1028.
when must be verified, 1028.
contents of the petition, 1029.
amending description in, 1029.
sufficiency of description in, 1029.
waiver of defects in, 1047.
to condemn railway crossing, 1119.
sufficiency of to condemn railway crossing, 1119.
location of crossing in, 1120.

PETITIONERS
for public aid, qualifications of, 858.
substituting in appropriation cases, 1026.

PHOTOGRAPHS,
See X-RAYS.
use in condemnation proceedings, 1040, n.
as evidence, 1783.

PHYSICAL EXAMINATION,
when allowed of a party, 1699.

PHYSICAL FACTS,
use and effect of, 1703.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PHYSICIAN,
See SURGEON; MEDICAL ATTENDANCE.
authority to employ in emergency, 222.
authority of agents to employ, 222.
when may recover for services rendered injured passenger, 222.
care to be used in selecting, 223.
effect of negligence in selecting, 1388.
duty of injured person to acquaint physician with condition, 1804.
duty of injured person to follow physician's directions, 1804.

PIERS,
must not obstruct highway, 1109.

PILE DRIVER,
not a locomotive under employer's liability act, 1338.

PILING UP,
duty of carrier towards animals piling up in cars, 1548b.

PILOT,
contributory negligence to ride on, 1632.

PLACE,
for payment of calls, 134.
designating in notice, 141.
to look and listen for train, 1166a.

PLACE OF AMUSEMENT,
when company may maintain, 931.

PLACE OF DANGER,
injury to passenger while riding in, 1632.
negligence per se in assuming, 1633.

PLACE OF DELIVERY,
See DELIVERY.
where may be, 1411.
where personal delivery by carrier must be made, 1519.
effect of custom and usage, 1522.
consignee waiving objections to, 1531.

PLACE OF ENTRY,
of animals on railway track, 1201.
burden upon plaintiff to show, 1214.

PLACE OF OPERATION,
stating in articles of association, 18.

PLACE OF PERFORMANCE,
how law of affects contract, 1494.
effect on contract limiting liability, 1506.

PLACE OF SHIPMENT,
law governs contract, 1494.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PLAINTIFFS,
in foreclosure suits, 508.
bondholders as in mortgage foreclosure suit, 509.
pledgees and assignees in foreclosure suit, 510.
what must show for appointment of receiver, 540.
when need not allege corporate existence, 616.
in condemnation proceedings, 1025.
effect where guilty of contributory negligence, 1095.
when have burden of proving freedom from contributory negligence, 1163, 1313, 1374.
directing a verdict against, 1179.
burden of proof in cases where animals are injured, 1214.
duty of in cases where animals are injured, 1215.
must show property right where seek to recover for loss by fire, 1233.
burden of proving negligence in fire cases, 1242.
have burden of proving setting of fire, 1243.
duty to establish negligence, 1299, 1463.
burden of proof under employers' liability acts, 1353.
showing freedom from contributory negligence, 1374.
must recover according to theory of complaint, 1396, n., 1628, 1697.
have burden of proving delivery, 1413.
burden of showing negligence of carrier, 1463.
when must show offer to furnish goods, 1476.
burden is on to show offer of goods, 1477.
when has burden of showing loss by negligence of carrier, 1516.
burden of showing negligence in injuring live stock, 1549.
consignees as, 1692.
what they must prove in actions against common carrier, 1695.
fraud defeating right to recover, 1696.
limited to negligence charged in complaint, 1697.
exhibiting injured part to jury, 1699.

PLANS AND MAPS,
See PROFILES.
effect of those referred to in charter, 919, n.
filing in appropriation proceedings, 1029, n.

PLAT,
when making and recording amounts to conveyance, 947.

PLATFORM OF CAR,
rules prohibiting passengers from riding on, 200, 1630, n.
when passenger justified in standing on, 1630.
injury to passenger riding on, 1630, 1630a.
standing on that of street car, 1630.
injuries to street railway passengers riding on front, 1096cz.

PLATFORMS AT STATIONS,
licensee injured on defective, 1251.
duty to keep in repair, 1256.
to whom duty to keep in repair is owing, 1256.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PLATFORMS AT STATIONS—Continued.
duty to keep in safe condition, 1296, 1590, n.
effect of delivery on, 1411.
liability for defects in, 1551.
duty to passengers in respect to, 1641.
duty to keep approaches to in repair, 1641.
duty to provide lights at, 1641.
where need not be maintained, 1641.

PLEA IN ABATEMENT,
to jurisdiction of federal court, 655.
in action for injuries to animals, 1217, n.

See PETITION.

PLEADINGS,
amending as to words "railway" or "railroad," 3.
in suit to forfeit corporate charter, 55.
in suits to enforce forfeiture of corporate franchises, 55, n.
pleading consolidation, 329.
where bondholder brings suit to foreclose, 509.
pleading insolvency in suit for receiver, 544, n.
determining from them whether there is separable controversy, 650.
raising federal question in, 652.
in federal court after removal, 656.
amendment of defects in petition for removal to federal court, 655a.
in appropriation cases, 1028.
example of sufficient petition, 1028, n.
in actions for wrongful appropriation, 1049d.
in suits where animals are injured, 1215.
in actions for injuries by fires, 1240.
sufficiency of complaint in fire cases, 1241.
evidence must follow, 1241.
evidence must conform to allegations of, 1309, 1694.
lack of knowledge of defects, 1311.
under employers' liability acts, 1349.
in action for injuries causing death, 1359.
foreign statutes in death cases, 1364.
ultimate facts and not conclusions must be pleaded, 1689a.
essential facts and not inferences must be directly averred, 1689b.
negligence and contributory negligence may be pleaded generally, 1689c.
should proceed on a definite theory, 1689d.
variance, 1689d.
effect of, 1694.
construction of, 1689e.
construed against pleader, 1689e.
breach of duty and resulting injury, essential elements of, 1689f.
pleading contract limiting liability, 1438.
special contract limiting liability, 1516, n.

Digitized by Google

PLEADINGS—Continued.
in actions against carriers, 1694.
effect of plea of the general issue, 1694.
recovery limited to the issues, 1694.
sufficiency of allegations of negligence, 1694, n.
how and when to plead ordinances, 1698.
delay in transportation, 1712.
loss or injury of goods in transit, 1713.
injuries to live stock, 1714.
failure or refusal to deliver goods, 1715.
limitation of liability, 1716.
failure to give notice of claim of damages, 1717.
where lost goods have no market value, 1728.
existence of passenger relation, 1756.
injuries to passengers generally, 1757.
injuries to street railway passengers, 1759.
in actions for injuries at crossings, 1761.
willful and wanton injury at crossing, 1762.
injuries to trespassers, 1763.
street railway injuries, 1764.
collision between steam and street car, 1765.
injuries to employes, 1766.
assumption of risk and promise to repair, 1767.
fellow-servant rule, 1768.
rules for regulation of employes, 1769.
injuries to trainmen from low overhead bridges, 1770.
contributory negligence, 1771.
damages in personal injury actions, 1772.
general and special damages in personal injury actions, 1691, n., 1773, 1798.
exemplary damages, 1774.
release of damages by acceptance of benefits, 1775.
instructions must conform to, 1844.

PLEDGE,
of shares of corporate stock, 92.
of corporate securities, 355.
authority to make of bonds, 355.
rights of pledgee of bonds, 484.
right of pledgee to collect interest on bonds, 487.
right of pledgee of bonds to bring foreclosure suit, 510.
of collaterals by receiver, 567.
effect on vendor's right to stoppage in transitu, 1429, n.

PLEDGED STOCK,
right to vote, 157.

PLEDGEE,
is not stockholder, 155, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PLEDGEE—Continued.
when may vote stock, 157, n.
of bonds, rights generally, 484, 487, 510.
of bonds, right to proceeds of foreclosure sale, 527.
rights under bill of lading, 1426.
how far a bona fide purchaser, 1429.
how affected by right of stoppage in transitu, 1540.
carrier's lien superior to claims of, 1570.

POCKET OR TRAP,
at oblique approaches to highways, 1197.

POINT OF ENTRY,
See PLACE OF ENTRY.

POLICE OFFICER,
as licensee, 1248.
when company liable for acts of, 1265.

POLICE POWER,
exercise of over corporations, 44.
as applied to railway companies, 661, 1098.
corporate rights are subject to, 663.
can not be contracted away, 663.
all property subject to, 663.
fettered by limitations, 664.
power of courts in reference to, 664
deciding necessity for exercise of, 664.
subject regulated must be within, 665.
legislative questions in reference to, 666.
right of state to forbid unnecessary whistling and escape of steam, 668.
exercise must not interfere with interstate commerce, 667.
commerce clause of federal constitution limiting, 667, 1668.
compelling erection of farm crossings, 668, 1142.
compelling change of grade crossings, 671, 1109.
right to compel trains to stop at highway crossings, 670a.
right to compel erection of fences, 670b.
statutes creating railroad commissions, 676.
as to control over Sunday, 717.
distinguished from eminent domain, 950.
abolishing grade crossings under, 975.
municipality can not surrender, 1079, 1082.
authorizing joint use of tracks, 1084, n.
railway company subject to, 1098.
over matter of constructing crossings, 1102.
contracts between city and street railway subject to, 1096o.
street railway subject to, 1096ae.
in reference to abolishing grade crossings, 1109.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

POLICE POWER—Continued.
gates, watchmen and signals at crossings, 1114.
private crossings secured under, 1142.
statutes imposing duty to fence rest upon, 1182.
scope of, 1183, n.
exercise is for benefit of the public, 1190.
exercise of must be reasonable, 1668.
whether scalping laws within, 1668a.
of state over interstate commerce, 1668a.

POLICE REGULATIONS,
railway companies subject to, 44.
federal power prevails over state power, 667.
affecting interstate commerce, 667.
those that have been held valid, 668.
no compensation for expense in complying with, 1103.
statutes or ordinances requiring signals, 1158.
power to pass is limited, 1668.

POLICEMEN,
as licensees, 1248.

POLICY AND EXPEDIENCY,
power of legislature to determine, 736.

POLITICAL QUESTIONS,
legislature determining, 1021.
as to expediency of notice, 1021.

POOLING CONTRACTS,
power to make, 365.
when and when not valid, 365.
when are illegal, 366.
presumption against validity of, 367.
contract between connecting and non-competing roads not, 367.
validity, 1675.
validity of rate fixed by, 1675.

POPULAR VOTE,
submitting question of public aid to, 823.
public aid authorized by, 862.
power of municipal officers where it is required, 864.

PORTER,
not fellow-servant of trainmen, 1320.
on palace car as a passenger, 1320, n.
liability for assaults committed by, 1618, 1640.

POSITIVE LAW,
when practical construction has effect of, 40, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

POSSESSION,
right of trustee to take, 514.
when priority of determines jurisdiction, 553.
of receivers, 565.
of real estate as notice, 809.
as affecting right to compensation in condemnation proceedings, 1001.
liability where company abandons, 1033.
taken pending condemnation proceedings, 1033.
of real estate pending appeal in appropriation cases, 1050.
right to after tendering compensation and damages, 1050.
where tender of compensation and damages is refused, 1051.
as evidence of ownership, 1212.
as evidence of title, 1233, n.
as affecting delivery and acceptance, 1404.
when carrier may deliver to mortgagee, 1537.

POSTAL CLERKS,
negligence of in throwing off mail bags, 1256.
as passengers, 1578.
passengers while riding on passes, 1604.

POSTHUMOUS CHILD,
right of action for death of father, 1368.

POSTING,
notice in appropriation cases by, 1020.

POVERTY,
See DAMAGES.
excusing watchfulness over children, 1262.

POWER OF ATTORNEY,
to transfer shares of stock, 97.
to transfer stock irrevocable, 97, n.

POWER TO CONTRACT,
control of by courts, 343.

POWER TO REPEAL,
rule where it is not reserved, 58.
reservation of by general laws, 61.

POWERS,
conferred by corporate charter, 16, 38.
assuming unauthorized, 40, n.
included in charter to build railroad, 41.
general ones possessed by railway companies, 41.
to repeal corporate charter, 57.
to issue preferred stock, 82.
stockholders', 163.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

POWERS—Continued.
to make by-laws, 191.
limit of to make by-laws, 193.
of officers and agents, 213.
effect as an element in contracts, 373.
definition of want of, 884.

POWERS OF DIRECTORS,
source of, 249.
extent of, 250.
illustrative cases of, 251.

PRACTICABLE CARE,
See CARE; CARRIERS OF PASSENGERS.
what constitutes highest degree of, 1587.

PRACTICAL CONSTRUCTION,
effect of, 40.
of corporate grants, 40.
of contracts by parties, effect, 1058, n.

PRACTICAL TESTS,
making before the jury, 1700.

PRACTICE,
See PLEADING; EVIDENCE AND KINDRED TITLES.
under interstate commerce act, 1688a.

PREFERENCES,
See UNDUE PREFERENCES.
by corporation, 603.
to stockholders and officers, 604.
in favor of employes, 605.
statutes giving to laborers and material men, 1067.
when not unjust, 1677.

PREFERRED CLAIMS,
six months' rule in reference to, 528.
payment out of earnings in preference to mortgage due, 528.

PREFERRED CREDITORS,
when stockholders and officers may be of the corporation, 604.

PREFERRED STOCK,
nature of, 77.
nature and essentials, 81.
priority of, 81.
when may be issued, 82.
rights and remedies of dissenting stockholders, 82.
suit to set aside issue of, 82.
rights and remedies of holder of, 83.
holder of not a creditor, 83.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PREFERRED STOCK—Continued.
when holder of has no right to vote at stockholders' meeting, 83.
right of holder after payment of guaranteed dividend, 84.
as lien on franchise, 86, n.
power of railroad company to guarantee, 86, n.

PREFERRED STOCKHOLDERS,
rights of on dissolution, 85.
assets on distribution after dissolution, 85.
right to as between life tenant and remainderman, 307.
interest on dividends on, 311, n.
rights of holders of when stock dividend is declared, 320, n.
rights of on dissolution of corporation, 613.

PREJUDICE,
as ground for removal of causes, 645, 651.
when application for removal of cause may be made on ground of, 653.

PRELIMINARY AGREEMENTS,
to subscribe for stock, 102.
to take stock, withdrawal of, 102.
merger in deed, 421.

PRELIMINARY SUBSCRIPTIONS,
enforcement of, 102.
PRELIMINARY SURVEY,
basing public aid on, 857.
sufficiency of, 857.
does not make location binding, 920, n.
before location of road, 925.
damages on account of, 925.
effect of that by engineer, 927.
company not bound by, 929.
does not amount to a taking of property, 977.
may be made before paying compensation, 986.
is not a taking of property, 986.
negligence in making, 986.
how failure to make affects construction contracts, 1062.

PREPAYMENT,
right of connecting carrier to require, 1395a.
waiver of right by carrier to demand, 1558.

PRESCRIPTION,
rule as to loss of rights by, 931.
title acquired by, 947.
acquiring right of way by, 948.
private crossings secured by, 1140.
duty to repair private crossings imposed by, 1146.
as affecting duty to fence, 1193.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PRESIDENT,
ratifying contract made by himself, 14, n.
liability for representations by, 128, n.
company bound by acts of, 212.
when notice to is notice to the corporation, 226, n.
chief executive officer, 283.
authority and powers of, 283.
incidental and implied powers of, 284, 285.
powers implied from grant of authority to by directors, 286.
influence of usage in determining power of, 287.
apparent authority of, 288.
ratification of his unauthorized acts, 289.
dealings with the corporation, 290.
relation to shareholders, 291.
power to authorize reformation of contract, 347, n.
effect of personal interest in contract, 348, n.
power to pledge bonds, 355.
authority to affix corporate seal to contracts, 411, n.
signing certificate authorizing lease, 438, n.
authority to mortgage property, 491.
when salary of not a preferred claim, 528.
has no power to make voluntary assignment for corporation, 602.
service of process where he is absent, 622.
duty in regard to location of road, 920.
becoming interested in construction contracts, 1058.

PRESS OF BUSINESS,
See RUSH OF BUSINESS.
as excuse for failing to furnish cars, 1691.

PRESUMPTIONS,
See ASSUMPTIONS; EVIDENCE.
of acceptance of special charter, 17, 35.
as to validity of repeal of charter, 57.
that person whose name is subscribed is a stockholder, 108.
that one is stockholder, overcoming, 108, n.
as to when condition was annexed to subscription, 112.
that stockholders' meeting was duly called, 164.
in favor of validity of consolidation, 323.
in favor of power to make contracts, 340.
against validity of pooling contracts, 367.
of acceptance of conveyance to corporation, 409, n.
of acceptance of grants which are beneficial, 417.
that there is power to hold real estate, 423.
of surrender of charter and acceptance of surrender, 608.
that directors consented to suit by the corporation, 615.
as to proximate cause where ordinance violated, 711.
as to malicious intent in obstructing track, 730.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

PRESUMPTIONS—Continued.
as to relinquishment of power of taxation, 746.
against exemption from taxation, 747.
as to acceptance of public aid, 866.
in regard to deed conveying right of way, 937.
as to width of right of way, 938.
when none in favor of dedication, 947.
against right to condemn property devoted to public use, 966.
that full width of right of way was taken, 973.
as to purpose for which rails were laid, 998.
as to assessment of damages in condemnation proceedings, 1004.
of payment of damages in condemnation proceedings, 1007.
as to competency of witnesses, 1037.
in favor of discharge of duty, 1042, n., 1314, 1701.
as to correctness of engineer's estimates, 1059.
as to waiver of lien, 1075.
that ordinances are reasonable, 1082.
that traveler will leave the track, 1095, 1153, 1172, n., 1257.
of negligence from killing stock by interurban railway, 1096bn.
as to negligence in collision at crossing, 1132.
that traveler at crossing was guilty of negligence, 1163.
that traveler at crossing looked for trains, 1165.
where young child on the track, 1172.
as to place where cattle entered on right of way, 1201.
that adult will care for himself, 1175.
as to notice of defective fence, 1185.
of negligence, what sufficient to overcome, 1213.
of negligence where animals are injured, 1213.
that animals will leave track in time to avoid injury, 1213, n.
evidence to rebut presumption of negligence in setting out fires, 1245a.
that person on track will get off, 1257a.
when none that children will step from track, 1253.
that young child will step from the track, 1257.
as to discretion of child, 1261.
where arrest made by employe having police powers, 1265, n.
of knowledge of rules printed on time tables, 1281, n.
of negligence in loss of baggage, 1652, n.
of competency of employe, 1285.
as to care in selecting servants, 1286.
none of negligence, 1286.
as to employment of competent co-employes, 1292.
that employer has done his duty, 1314.
that common law is in force, 1364.
none that relief department is ultra vires, 1379.
that company acts as public carrier, 1396.
that station agent has authority to receive freight, 1406.
that bill of lading expresses contract, 1423.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PRESUMPTIONS—Continued.
that title rests in consignee, 1426, 1559, 1692.
against last of connecting carriers, 1450.
that initial carrier received goods in good condition, 1450.
reduced rate will not be presumed, 1504.
that common law prevails, 1506, n.
that agent has authority to agree to contract limiting liability, 1507.
that consignee is owner of freight, 1559, 1692.
as to ownership of trains, 1573, 1701.
that person on train is a passenger, 1578.
against company as to loss of baggage, 1660.
as to party by whom carrier was employed, 1692.
none of freedom from contributory negligence, 1701.
that company did its duty, 1701.
as to ownership of locomotive, 1701.
making prima facie case, 1701.
as to authority of agents, 1701.
shifting burden of proof, 1701.
can not be based upon a presumption, 1701.
overcoming by evidence, 1701.
how long available, 1701.
effect of in actions against carriers, 1701.
of loss or injury of goods or animals, 1718.
in case of injury to live stock, 1719.
of ownership, 1777.
injuries in street car collisions, 1778.
incompetency of fellow servants, 1779.
promulgation of rules governing employes, 1780.

PRESUMPTION OF NEGLIGENCE,
of traveler, 1163, 1165.
showing facts to raise, 1214.
in fire cases, 1242.
what sufficient to raise in fire cases, 1242, 1244.
from mere setting of fire, 1242.
evidence to rebut in fire cases, 1245.
how affected by contributory negligence, 1350.
when raised by proof of accident, 1350, 1644, 1697, 1701.
as applied to street railway companies, 1402.
raised by proof of loss or injury to freight, 1516.
that consignee is owner of goods, 1536, n.
where there is derailment of car, 1634.
raised by fact that there was collision, 1635.
what is sufficient to rebut, 1635, n.
when sufficient to make a prima facie case, 1644.
when none on part of carrier, 1644.
must be basis for, 1644.
shifting burden of proof, 1644.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PRESUMPTION OF NEGLIGENCE—Continued.
illustrative cases of, 1644, n.
none against warehouseman, 1652, n.
instruction as to presumption of negligence in actions for injuries to passengers, 1830.

PRICE,
fixing in decree of foreclosure, 515.
stating in agreement to convey real estate, 422.

PRICE LIST,
of commercial traveler as baggage, 1647, n.

PRIMA FACIE CASE,
where animals are injured, 1213.
when proof of accident makes, 1583.
presumptions making, 1701.
statutes making certain things constitute, 688, n.
of loss or injury of goods or animals, 1718.

PRIMA FACIE EVIDENCE,
baggage check as of receipt of baggage, 1655.

PRINCIPAL AND AGENT,
See STATION AGENT.
proof of existence of relation of, 210.
principal liable for acts of agent, when, 214.
when agent's declarations admissible against, 218.
when notice to agent is notice to, 226.
when liable for willful acts of agent, 1622.

PRINCIPAL DEBT,
when not due on failure to pay interest, 507, n.

PRINCIPAL OFFICE,
stating in articles of incorporation, 18.
residence of corporation determined by, 24.
failure to keep as cause for forfeiture, 49.

PRINCIPAL OFFICERS,
where must reside, 49.

PRINTED CONDITIONS,
shipper bound by those in bill of lading, 1494.

PRINTING,
size of type for schedules, 641, n.

PRIOR LIEN,
reserved power to create, 499.

PRIOR MORTGAGEES,
when not necessary parties to suit to foreclose mortgage, 511.
when all should be joined as parties, 512.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PRIORITY.
of lien on corporate stock, 100.
creditors of insolvent corporation, 189.
of liens, 336.
of mortgages, 500.
arranging between mortgages by agreement, 500.
whether money borrowed to pay interest has priority over principal, 500.
mortgages on consolidated road, 523.
in payment of claims after a foreclosure sale, 528.
of lien taken for constructing road, 1071.
as between receivers' certificates, 592.

PRIORITY OF LOCATION,
effect of conflicting grants, 921.

PRIORITY OF PASSAGE,
at railroad crossings, 1130, 1133.
enjoining violation of contract fixing, 1133.
at public crossings, 1153.
over street railway cars, 1178.

PRIVATE CARRIERS,
railroad companies as, 1396.
when undertaking of company is that of a, 1396.
common carrier becoming by contract, 1396.
fixing extent of liability where company acts as, 1397.
do not act as insurers, 1397.
stipulating against liability for negligence, 1397.
duties distinguished from those of public carriers, 1397, n.
distinguished from public carriers, 1573, n.

PRIVATE CONTRACTS,
mandamus will not lie to enforce, 642.

PRIVATE CORPORATIONS,
when railroad companies are, 2.
person not forced to become member of, 16.
public aid can not be given to, 841.
taking rights subject to right of state, 1098.

PRIVATE CROSSINGS,
contracts to build, repair and restore, 359.
considering cost of in estimating damages, 996.
definition of, 1136.
distinguished from public crossings, 1136.
who entitled to, 1137, 1141.
secured by agreement, 1137.
how many company may grant, 1137.
when tenant entitled to, 1137.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PRIVATE CROSSINGS—Continued.
effect of conveyance of right of way by landowner, 1138.
securing when right of way is conveyed, 1138.
when right to waived by unconditional conveyance, 1138.
construction and maintenance of, in absence of statute, 1138, n.
statutes securing right to, 1138.
right to where right of way has been condemned, 1139.
estoppel of landowner to claim, 1139.
secured by prescription, 1140.
secured by twenty years' adverse user, 1140.
damage for obstruction by gates, 1141.
measure of damages for failure to construct, 1141.
secured under statutory authority, 1142.
secured under police power, 1142.
not confined to mere use for agricultural purposes, 1142.
not for benefit of public, 1142.
lessees bound to grant, 1142.
duty of receiver to grant, 1142.
procedure in securing, 1142.
who bears expense of putting in, 1142.
landowner putting in at expense of company, 1142.
location and number of, 1143.
construction of, 1144.
sufficiency of, 1144.
enforcing construction, 1145.
mandamus to compel construction of, 1145.
recovering double cost of constructing, 1145.
repair and maintenance, 1146.
passways and subways under the track, 1147.
overhead crossing to serve as, 1147.
damages for destruction or impairment of, 1138.
how affected by change of grade, 1148.
duty as to approaches to, 1148.
when right to runs with the land, 1149.
effect of parol agreement to put in, 1149.
care required at on part of company, 1150.
when signals required at, 1150, 1154.
company recognizing as public crossing, 1150.
accidents and injuries at, 1151.
liability for injuries caused by defective, 1151.
effect on liability of implied invitation to public to use, 1151.
duty of traveler to look and listen, 1151.
contributory negligence of person injured at, 1151.
care at "traveled places," 1151a.
signals on approach to, 1151a.
duty of railroad company at, 1154.
duty to fence at, 1193, 1200.
gates and bars at, 1193, 1199.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PRIVATE CROSSINGS—Continued.
landowner's duty to fence at, 1193, n.
when cattle-guards not required at, 1198.
wing fences not required at, 1199, n.

PRIVATE ENTERPRISE,
right to condemn land for right of way to, 961a.
condemning land for railroad leading to, 961.
sidetracks and switches leading to, 961.

PRIVATE GRANT,
right to acquire real estate by, 400.

PRIVATE NUISANCE,
civil liability for maintaining, 718.

PRIVATE PARTY,
when may be relator in suit for mandamus, 643.

PRIVATE PERSONS,
power to impose penalties in favor of, 669.

PRIVATE PROPERTY,
when railroad property is, 31.
right to appropriate under the eminent domain, 950.
right to take for public use, 950.
when compensation must precede taking, 951.
taking for public use on compensation, 951, n.
can not be condemned for merely private enterprise, 954.
what is a taking within meaning of constitution, 976.
compensation for that taken by eminent domain, 979, 980, 1011, 1126.
effect of unauthorized entry upon, 998.
procedure in taking, 1009.
jury trial not allowable where seized under eminent domain, 1012.
notice before seizure, 1019.
railroad crossing railroad is a taking of, 1126.

PRIVATE PURPOSE,
tax can not be levied for, 877.

PRIVATE RIGHTS,
legislative power over those of railway companies, 659.

PRIVATE SALE,
when forfeited shares of stock may be sold at, 152.

PRIVATE SIDE TRACK,
compelling delivery of freight at, 636.

PRIVATE STATUTES,
must be pleaded, 1698.

PRIVATE USES,
when property may be condemned for, 952.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PRIVATE WAY,
action to enjoin closing of, 629.

PRIVILEGE TAX,
when can not be imposed on railway, 759.
validity of one on interstate railroads, 760.
discriminated from a property tax, 761.
levying on sleeping car companies, 762, n.

PROCEDURE,
See INSTRUCTIONS TO JURIES; JUDGMENTS; REMEDIES; PLEADING; EVIDENCE; AND LIKE TITLES.
in forfeiture of stock, 152.
in appointment of receivers, 556.
before state railroad commissioners, 695.
on indictment for causing death, 716.
in reference to local assessments, 791.
in trial of condemnation proceedings, 1010.
removal of condemnation proceedings to federal court, 1010a.
method of drawing jury in condemnation proceedings, 1012.
right of landowner to have question of right of railroad to take property determined, 1013a.
failure to agree on price in condemnation proceedings does not authorize injunction, 1027.
defenses to condemnation proceedings, 1030a, 1030b.
proceedings for interurban road to cross steam road, 1135b.
in securing private crossings, 1142.
governed by law of the forum, 1365.

PROCEDURE IN APPROPRIATION CASES,
See EMINENT DOMAIN.
introductory, 1009.
nature of the proceeding, 1010.
statute must be followed, 1010.
tribunals, 1011, 1012.
power of legislature as to constitution of tribunals, 1012.
effect of constitutional provisions, 1012.
legislative power as to creation of the tribunal, 1013.
decision of majority of tribunal, 1014.
jurisdiction, 1014.
appointment of appraisers or commissioners to assess benefits and damages, 1015.
mandamus to compel appointment of appraisers or commissioners, 1016.
qualifications of jurors, 1017.
appraisers as commissioners, 1017.
waiver of defect in oath, 1018.
oath must be taken by jurors or commissioners, 1018.
general doctrine as to notice, 1019.

Digitized by Google

[*References are to Sections*—*Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

PROCEDURE IN APPROPRIATION CASES—Continued.
requisites of notice, 1020.
expediency of notice a political question, 1021.
description in notice, 1022.
service of notice, 1023.
effect of notice on part of persons interested, 1023.
summoning the jury or commissioners, 1024.
parties, 1025.
effect of omitting necessary parties, 1025.
amendment as to parties, 1026.
effort to agree, 1027.
petition or articles of appropriation, 1028.
when defendant need not prove title, 1028.
contents of the petition, 1029.
alleging purpose for which land is sought, 1029.
title to land, 1030.
effect of pendency of proceedings to condemn, 1031.
effect of dismissal of proceedings, 1032.
abandonment of proceedings, 1033.
meeting of commissioners or jurors, 1034.
open and close, 1035.
illustrative cases of evidence of value, 1036.
necessity of company cannot be shown, 1036, n.
competency of witnesses, 1037.
opinions of witnesses, 1038.
power of commissioners to act upon their own knowledge, 1039.
when there must be view of premises, 1040.
report of commissioners, 1041.
what amounts to waiver of defects in, 1041.
illustrative cases of sufficiency of report of commissioners, 1042.
requisites of report of commissioners, 1042.
time within which report of commissioners must be made, 1043.
objections to report of commissioners, 1044.
modification of report, 1045.
confirmation or rejection of report, 1045.
misconduct of jurors or commissioners, 1046.
validity of quotient verdict, 1046.
waiver of objections, 1047.
remedies to enforce payment of compensation, 1048.
trespass where taking of property is wrongful, 1048.
common law remedy for damages, 1048.
appeal and certiorari as remedy for landowner, 1049, 1053, 1054.
remedies of landowner, 1049.
injunction as remedy in, 1049.
possession pending appeal, 1050.
tender, 1051.
estoppel by acceptance of damages, 1052.
appeal in, 1053.

Digitized by Google

PROCEDURE IN APPROPRIATION CASES—Continued.
who may appeal, 1053.
company a trespasser where proceedings are void, 1055.

PROCESS,
See NOTICE; SUMMONS.
service of on stockholder is not service on corporation, 170.
how service of affects right to appoint receiver, 560.
service of in actions against corporations, 621.
method in which it must be served, 621.
service upon passenger or freight agent, 621.
estoppel to question service, 621, n.
federal rule as to service on resident agent, 621a.
service on director casually in state, 621b.
service on agent casually in state, 621b.
service where company has no office or agent in state, 623.
what return to must show, 621, n.
return of service of, 622.
on jury in appropriation cases, 1024.
effect of that under unconstitutional statute, 1461, n.

PROFESSIONAL MEN,
impairment of capacity as element of damages, 1814.

PROFILES,
See PLANS AND MAPS.
approval of to vest title to public lands, 796, n.
filing of as determining priority for right of way over public lands, 800.
filing in appropriation proceedings, 1029, n.

PROFITS,
See LOSS OF PROFITS; DAMAGES.
promoter not allowed to make, 12.
paying dividends on guaranteed stock out of, 86.
right of stockholder to share in, 156, 304.
right to as between life tenant and remainderman, 307.
stockholder can not sue for before dividend is declared, 310.
of business as element of damages in cases of personal injuries, 1809.
may be invested in the business, 312.
dividends should be declared out of, 316.
receiver liable for those made out of trust estate, 576, n.
as affecting reasonableness of rates, 693.
taxation on basis of, 738, n.
when subcontractor may recover for loss of, 1061.
when contractor entitled to recover for loss of, 1062.

PROHIBITED CONTRACTS,
effect of prescribing penalties, 381.
who entitled to advantage of, 381.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PROMISE TO REPAIR,
See REPAIRS; ASSUMPTION OF RISK.
effect on assumption of risk and employer's liability, 1272, 1295.
pleading, 1767.

PROMISSORY NOTES,
power of corporation to give, 42.
payment of subscription by, 106.
when giving waives conditions to subscription, 115.
effect of conditions in those given to pay subscriptions, 120.
validity of indorsement by manager, 297.
power of railroad companies to issue, 480.
right of receiver to sue for collection of, 570.
when municipal corporations may execute, 839.
when taking is waiver of mechanic's lien, 1075.

PROMOTERS,
See PROMOTION AND FORMATION OF THE CORPORATION.
who are, 10, 11, n.
taking subscriptions, 10.
making preliminary contracts, 10.
fiduciary relation of, 11.
duties and liabilities of, 11.
definition and discussion of, 11, n.
not allowed secret profits, 11.
can not retain commissions, 11.
suits against, 11.
corporation suing to set aside their acts, 11, n.
corporation rescinding contract with, 12.
personal liability of, 13.
when are partners, 13.
acting fraudulently, 13.
liability when organization fails, 13.
misrepresentations by, 13a.
right to compensation, 14.
when their contracts bind corporation, 14.
using corporate funds to influence, 374.
incompetency to act as appraisers, 1017.

PROMOTION AND FORMATION OF THE CORPORATION,
See CORPORATION; PROMOTERS.
promoter may sell property to corporation, 12.
personal liability of promoters, 13.
effect of contract with promoters, 14.
legislative authority essential to formation of corporation, 15.
creation by special charter, 16.
acceptance of charter, 17.
incorporation under general laws, 18.
perfecting the organization, 19.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PROMOTION AND FORMATION OF THE CORPORATION—Continued.
defective organization, 20.
waiver of defective organization, 20.
collateral attack on organization, 20.

PROMPTNESS,
See DELAY; ESTOPPEL; LACHES.
when stockholder must exercise in taking advantage of fraud, 167.
when party seeking to avoid contract must act with, 276, n.

PROOF,
See EVIDENCE.
of corporate existence, 18, 616, n.
of passage of resolution making calls, 134, n.
of notice of calls and assessments by publication, 142, n.
of enactment of by-laws, 195.
of existence of relation of principal and agent, 210.
of authority of corporate representatives, 211.
of authority of station agents, 303.
of the proceedings of the board of directors, 267.
of consolidation, 326.
in prosecution for obstructing track, 730.
on foreclosure of lien for local improvement, 791.
of effort to agree in condemnation cases, 1027.
of title in appropriation cases, 1030.
of ownership of animals killed or injured, 1212.
in action for injuries to animals, 1213.
that company set out fires, 1243.
that company negligently set fire, 1244.
of incompetency of co-employes, 1351.
of contract limiting carrier's liability, 1506.
of special contract limiting liability, 1516, n.

PROPENSITIES OF LIVE STOCK,
carrier not liable for injuries caused by, 1546.
live stock injured by, 1549.

PROPERTY,
not necessary to existence of corporation, 4, 601, 606.
corporation purchasing from a promoter, 12.
railway company buying and selling, 21.
legislative power to sell railroad, 21, n.
railroad acquiring in foreign state, 26.
receiver of that belonging to foreign corporations, 30.
railroads as, 31.
taking that devoted to public use, 39, n.
taking that devoted to railroad use, 41.
effect of repeal of charter on, 59.
limitation on corporate right to sell, 70.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PROPERTY—Continued.
purchasing with watered stock, 88.
paying for stock by overvalued, 91.
paying subscription with, 110.
paying for stock with, 175.
president purchasing for company, 285.
vesting in new company on consolidation, 329.
obtained on ultra vires contracts, 369.
effect of retaining under ultra vires contract, 371.
restoring that received under ultra vires contract, 373.
authority to hire out that not needed by the company, 400, n.
general authority to mortgage, 490.
what is covered by railroad mortgage, 495.
what not covered by mortgage on after-acquired property, 497.
amount of as affecting insolvency, 601.
can not be seized without a hearing, 666.
what is a taking of within meaning of constitution, 976.

PROPERTY IN TRANSIT,
See STOPPAGE IN TRANSITU.
not subject to garnishment, 626.

PROPERTY OWNER,
See LANDOWNER.
duty to attempt to extinguish fire, 1238.

PROPERTY TAX,
discriminated from a privilege tax, 761.

PROPOSED LINE,
how deviation from affects compensation and damages, 999.

PRO RATA ITINERIS,
calculating freight charges, 1562.

PROSECUTING ATTORNEY,
power to bring quo warranto proceedings, 644.

PROSECUTION,
See INDICTMENT.
when company liable for malicious, 214.
for maintaining public nuisance, 976.
for failure to stop trains at crossings, 1131.
for killing stock, 1183.

PROSPECTIVE DAMAGES,
may be recovered, 1800.

PROSPECTUS,
effect of false statements in, 127, n., 282.
misrepresentations in, effect on subscriptions, 128.
what does not amount to fraudulent representations in, 128, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PROTEST,
when necessary against excessive charges, 1564.

PROXIMATE CAUSE,
See NEGLIGENCE; CONTRIBUTORY NEGLIGENCE.
when presumed, 711.
where ordinances have been violated, 711.
injuries caused by operation of street railways, 1096cq.
as element of actionable negligence, 1095, 1114, 1640, 1697.
where there is breach of statutory duty, 1155, 1206, 1264.
where signboard is omitted, 1157.
where there is calculation of chances, 1168.
excessive speed must be, 1204.
where statutory signals are omitted, 1206.
jury determining question of in cases of fires, 1231.
failure to give statutory signals as, 1264.
failure to promulgate rules as, 1280.
violation of rules as, 1282.
negligence of employer must be, 1306.
employer's negligence must be, 1310.
violation of ordinance must be, 1310.
defect must be, 1349.
in injuries causing death, 1369.
negligence of street railroad company must be, 1402, n.
showing that act of God was, 1457.
in cases of loss by carriers, 1463.
delay must be of loss, 1488.
effect where deviation from route is not, 1515.
in injuries to passengers, 1584, n.
negligence to be actionable must be, 1640, 1697.

PROXIMATE RESULT,
necessary to recovery, that damages should be, 1799.

PROXY,
stockholders voting by, 162.
should be in writing, when, 162.
naked one is revocable, 162.
what rights it confers, 162.
when must be witnessed, 162, n.
authority of, 162, n.
when by-law affecting is void, 193.
at meeting of directors, 263.

PUBLIC,
railroads for benefit of, 1.
railroads, relation to, 33.
liberal construction of corporate charter in favor of, 38.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC—Continued.
taking advantage of causes for forfeiture, 47.
not bound by corporate by-laws, 192.
interest in location of tracks, switches and the like, 363.
receivers bound to perform duty to, 518.
rights of considered in granting injunctions, 628.
right to enjoin unauthorized use of the street, 630.
interest in having railroad preserved as a unity, 790.
changing location for benefit of, 929, n.
common law or parol dedication to, 947.
streets held in trust for, 1089.
rights where railroad in street, 1093.
right to have streets and highways across railways, 1098.
right to have other roads, 1116.
duty to repair railway crossings owing to, 1134.
farm crossings not for benefit of, 1142.
exercise of police power is for benefit of, 1190.
duty to fence owing to, 1191, n.
convenience of as affecting duty to fence, 1195.
when invitation to is implied, 1252.
construction of statutes is liberal in favor of, 1667.
duty to carry owing to, 1690.

PUBLIC ACTS,
power of legislature to regulate, 662.

PUBLIC AGENTS,
railroad companies as, 1391.

PUBLIC AID,
See LAND GRANTS; MUNICIPAL AID.
ground upon which that to railroads rests, 792.
by means of land grants, 793.
state aid, 812.
lien of state for giving aid, 813.
can not be given to private corporations, 814.
for railroad located outside municipality or state, 814, n.
constitutionality of statutes authorizing municipal aid to railroads, 814.
where corporation both public and private, 814, n.
construction of constitutional provisions, 815.
corporate purpose, constitutional limitation, 816.
constitutional prohibitions, 817.
limitations upon state not necessarily limitations on municipal corporations, 818.
effect where state prohibited from granting, 818.
restriction as to county not applicable to city, 818, n.
tendency of decisions to support statutes authorizing, 818, n.
constitutional restrictions operate prospectively, 819.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC AID—Continued.
limitations upon power of municipalities to incur debts, 820.
company only entitled to money after it is collected, 820, 863.
constitutional questions, delegation of legislative power, 821.
authority to give is not a delegation of legislative power, 821.
general law in reference to, 821.
submission to vote, 822.
when authorized without vote of the people, 822.
when may be granted on petition, 822.
submission to popular vote, constitutional requirements, 823.
when municipal officers may grant, 823.
necessity of regularity in election voting, 823a.
form of ballot for use in election, 823b.
constitutional power of legislature in reference to, 824.
compelling public corporations to give, 824.
scope of the legislative power, 825.
illustrative cases of scope of legislative power in reference to, 826.
to railroad without limits of aiding municipality, 826.
to build branch roads, 826.
to railroad outside the state, 826.
validity of bonds issued in pursuance of, 826.
statutory authority to grant, 827.
power to grant is statutory, 827.
power to aid is continuous, 828.
making several subscriptions to same company, 828.
not restricted to new companies, 829.
taxing one railroad company to aid another, 830.
construction of statutes conferring authority to aid railroad companies, 831, 836.
strict construction of statutes authorizing, 831.
donation of land for depot, etc., purposes, 831a.
impairment of contract rights, 832.
contract created by grant of, 832.
grant protected by the constitution, 832.
withdrawing offer of, 832.
illustrative cases of impairment of contract rights, 833.
implied powers in construction of statutes, 834.
when to be collected as ordinary taxes, 834.
illustrative cases of construction of statutes authorizing, 834.
as dependent on completion of road, 835.
statute authorizing subscription does not authorize endorsement of bonds, 835.
must be given in manner provided by statute, 835.
construction of enabling acts, 836.
adjudged cases as to enabling acts, 836.
construction of special act authorizing, 836.
charter conferring power to grant, 836.
giving conditionally, 836, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC AID—Continued.
means and methods, 837.
requirements of statute, 838.
when irregularities or errors will not defeat, 838.
power to aid by subscription does not authorize execution of bonds, 839.
power to issue bonds not to be implied, 839.
levy of taxes, 840.
effect of withdrawal of power to grant, 840.
by donations and subscriptions, 841.
effect of repeal of enabling act, 842.
effect of withdrawal of power authorizing grant of, 842.
effect of repeal of statute before levy of tax, 842, n.
validating proceedings, 843.
retrospective laws, 843.
legislative power to authorize ratification, 844.
waiver of conditions to grant of, 844.
effect of irregularities, 844.
requisites of curative statutes, 845.
division of municipal corporation for purpose of voting, 846.
creating taxing districts to vote for, 846.
what corporations may be authorized to grant, 847.
levy upon property both of city and township, 846, n.
subscription to unorganized company, 848.
to de facto corporation, 848.
votes, voters, majority of votes, 849.
rules governing election for, 849.
effect of bribery in election for, 849.
effect of failure to conform to enabling act, 850.
when substantial compliance with the law sufficient, 850.
notice of election to grant, 850, 859.
effect of abandonment of operation by aided company, 851.
when can not be granted at special meeting of town board, 850.
special election to grant, 850.
excuse for non-performance of conditions, 851.
performance of conditions, 851.
when time as essence of contract affects, 851.
conditioned on completion of road by certain time, 851.
power of municipality to prescribe conditions, 852.
conditions precedent to grant of, 852.
change of municipality, 853.
limitations upon the amount, 854.
making objections to before rights of third parties intervene, 854.
valuation of property, 855.
on percent of valuation, 855.
conditions must be performed, 856.
sufficiency of preliminary survey for, 857.
injunction to prevent levy of tax for, 857.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC AID—Continued.
requisites of petition for, 858.
qualifications of petitioners for, 858.
rules governing petitions for, 858.
how to count taxpayers in petition for, 858.
notice of election, 859.
influencing voters at election for public aid, 860.
validity of that secured by fraud, 860.
vote does not of itself constitute a contract, 861.
when subscription complete, 861.
authorized by popular vote, duty of local officers, 862.
voters prescribing conditions to, 862.
contract granting, 863.
enforcement, 863.
subscription, 863.
when company becomes entitled to, 863.
power of municipal officers where statute requires submission to popular vote, 864.
decision of local officers as to jurisdictional facts, 865.
collateral attack on proceedings, 865.
acceptance of, 866.
presumption as to acceptance of, 866.
ratification of subscription, 867.
stock subscribed by municipality, 868.
dividing stock among taxpayers, 868.
rights and liabilities of municipal corporations as stockholders, 869.
defenses to municipal subscriptions, 870.
taxpayers defending against subscriptions, 870.
estoppel of taxpayers, 871.
what a compliance with condition as to completion and operation within fixed time, 851, n.
condition that road shall be built for use within specified time, 851a.
whether aid voted for construction allows purchase of existing line, 851a.
time for completion of road where not fixed in contract, 851b.
effect of change of name of corporation, 853a.
county may vote, though township or city therein indebted to limit, 855.
notice of election for, 859a.
when subscription consummated, 861, n.
burden of proof to show that conditions were complied with, 863.
when errors and irregularities will not defeat, 871.
remedies of tax-payers, 871.
when election will not be enjoined, 872
restraining payment after collection of tax, 872.
remedies of municipalities, 873.
remedies of railroad companies, 874.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC AID—Continued.
mandamus as remedy to enforce, 874.
quo warranto proceedings as defense to, 874.
pleadings in proceeding to enforce tax, 874a.
railroad not regarded as complete unless equipped with depots and side tracks, 877.
right of railroad company to money of bonds on stock subscription, 893a.

PUBLIC AUCTION,
sale of forfeited shares of stock at, 152.

PUBLIC AUTHORITY,
when exercise of exonerates carrier from liability, 1461.
loss under as a defense, 1695.

PUBLIC CONTROL,
of carriers, 1662c.
state regulation of rates, 1670a.

PUBLIC CORPORATIONS,
when railroad companies are, 2.
street railways are quasi, 6.
railroads quasi, 33, n., 659.
when may sell their property, 70.
power of legislature over, 662.
compelling them to grant public aid, 824.
when property of may be condemned, 964.

PUBLIC CROSSINGS,
See RAILROAD CROSSINGS.
contracts to build, repair and restore, 359.
distinguished from private crossings, 1136.
recognizing private crossing as, 1150.
rights of travelers at, 1152.
rights of trains to priority at, 1153.
what necessary to constitute, 1154.
need not be fenced, 1193.
how determined what ones are, 1193.
crossing becoming such through use, 1252.

PUBLIC DUTIES,
of lessee under authorized lease, 457.
imposed upon lessee, 461.
courts taking charge of road to compel performance of, 542.
failure to perform as ground for appointing receiver, 547.
company can not escape by dissolution, 608.
mandatory injunction to compel performance of, 635, n.
power of legislature to regulate, 662.
duty to carry passengers is a public duty, 1392.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC ELEVATOR,
See ELEVATORS.
when company may erect, 931.
condemning land for track to, 960.

PUBLIC ENEMIES,
burden of proof to show loss by, 1458.
when insurgents are, 1458.
who are, 1458.
non-delivery caused by, 1534.
effect where negligence of carrier contributes to loss, 1534.
acts of causing loss of baggage, 1651.
defendant pleading act of as a defense, 1695.

PUBLIC ENTERPRISES,
taxes to aid, 824.

PUBLIC HIGHWAYS,
See HIGHWAYS; STREETS.
railroads as, 33.
indictment for leaving cars in, 718.
indictment for unlawfully cutting through, 718.
railroad regarded as, 814, n.
branch and lateral roads as, 961.
when longitudinal taking authorized, 966.

PUBLIC IMPROVEMENT,
See LOCAL ASSESSMENTS.
railroad as, 33.
assessing right of way to pay for, 786, n.

PUBLIC INTEREST,
in railroad property, 31.
as affecting forfeiture of charter, 50.
requiring location of stations, 694.
as affecting right to exercise power of eminent domain, 952.
effect where condemnation interferes with, 964.
failure to allege in petition for appropriation, 1028, n.
right to railroad crossings based on, 1116.
erection of fences interfering with, 1194.

PUBLIC LANDING,
condemning land for track to, 960.

PUBLIC LANDS,
granite quarries as "mineral lands," 798.
withdrawal, 798a.
rules laid down by the Supreme Court of the United States as to acquisition of title, 799a.
right of way over as dependent on filing profile, 800.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC LANDS—Continued.
condition of reversion to public domain of undisposed of, 803.
right of railroad company to take timber and material from adjacent lands, 811a.
right of way over mineral lands, 946a.
rights of occupying claimants on, 1003c.

PUBLIC NECESSITY,
as an element in determining location of stations, 641.
right of property-owner to dispute, 1021.
jury determining question of, 1021.

PUBLIC NOTICE,
when has effect to limit liability, 1495.

PUBLIC NUISANCES,
obstructing railway, 33, n.
injunction to prevent, 631.
prosecution for maintaining, 976.

PUBLIC OFFICER,
as relator in suit for mandamus, 643.
member of railroad commission is, 680.
prohibited from accepting passes, 1613.

PUBLIC POLICY,
issuing watered stock against, 88.
secret agreements with stockholders against, 181, n.
effect where pooling contracts are against, 366.
contracts against are illegal, 383, 385.
when contracts as to location of stations and tracks are against, 386.
general conclusion as to contracts void because against, 387.
illustrative cases of contracts void as against, 388.
abandonment of road is against, 431.
when trackage contract against, 451.
preventing garnishment against railway companies, 624.
legislature determining questions of, 666, n.
in reference to enforcement of local assessments, 790.
contracts influencing location are against, 928.
in regard to location of depots, 928, n.
effect where conditions subsequent opposed to, 941.
when construction contracts with officers against, 1058.
in abolishing grade crossings, 1109.
when contracts against future negligence violate, 1236, 1376, 1497.
contract in relief department not against, 1362.
when contract limiting liability is against, 1438, 1497, 1627.
discriminations are against, 1468.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

PUBLIC POLICY—Continued.
how conditions in passes affect, 1607.
when conditions in passes are against, 1608.
how affects sleeping car companies, 1618.
effect of contracts limiting liability, 1627.

PUBLIC PROPERTY,
when railroad property is, 31.
power of state to control, 674.

PUBLIC RIGHTS,
grants in derogation of not presumed, 39.
who may be relator in suit to enforce by mandamus, 643.
legislative power over those of a railway company, 659.

PUBLIC SAFETY,
as an element in determining grade crossings, 1123.

PUBLIC USE,
See EMINENT DOMAIN.
railroad property devoted to, 2.
taking property devoted to, 39, n., 630, n., 964, 966.
where two uses can co-exist, 632, 966, 1098.
location of road on property already devoted to, 922.
right to take private property for, 950, 951, n.
who determines question of, 952.
amount of property that may be taken for, 952.
what constitutes, 952, 961.
when courts may determine, 954, n.
must be shown in condemnation proceedings, 960.
how question of determined, 960, n.
condemning property for consistent use, 974.
simply affecting land does not amount to taking for, 976.
right to compensation for property taken for, 976.
alleging in condemnation proceedings, 1029.
when commissioners must find in their report, 1042.
rule where two can stand together, 1098.
impairing rights by taking property devoted to, 1104.
street and railway existing together, 1104.
two railway companies using same crossing, 1121.
railroad crossing is a taking of property for, 1126.

PUBLIC WAREHOUSE,
See ELEVATORS; PUBLIC ELEVATORS.
condemning land for track to, 960.

PUBLIC WELFARE,
railroad is for benefit of, 814.
right to appropriate property for, 950.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1891–1851.]

PUBLICATION,
notice of calls and assessments by, 142.
obtaining jurisdiction over non-resident by, 624.
before enactment of statute, 815.
notice by in condemnation proceedings, 1020.
sufficiency of notice by, 1023.
affidavit accompanying, 1023.
notice by of street opening proceedings, 1100.

PUNISHMENT,
of contempt of court, discretion of court, 575.
railway commissioners can not prescribe, 677.

PUNITIVE DAMAGES,
See EXEMPLARY DAMAGES.
in action on tort, 1693.
no extra-territorial effect where statute gives, 1366.

PURCHASE,
of corporate property, effect of, 37.
of other roads, 45, n.
consolidation may be by, 324, n.
acquiring right of way by, 932.

PURCHASER,
See BONA FIDE PURCHASERS.
at judicial sale, rights of, 72.
at foreclosure sale, title acquired by, 525.
at foreclosure sale, when takes title free from liabilities and liens, 526.
reorganization by purchasers at foreclosure sale, 531.
at foreclosure sale, formation of new corporation by, 532.
right to have receiver appointed, 546, n.
of receiver's certificates, position of, 595.
when estopped to question lien of receiver's certificates, 596.
when do not acquire right of eminent domain, 958.

PURCHASING AGENT,
authority to contract, 347, n.
may exercise right of stoppage in transitu, 1540.

PURCHASING COMMITTEE,
reorganization through, 531a.

PURPOSE,
stating in articles of incorporation, 18.
of corporation, stating in charter, 36, n.
of corporation must be authorized, 37.
when changing is material amendment, 45, n.
of journey as determining what is baggage, 1647.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Q

QUALIFICATIONS,
of corporate officers, 207.

QUALITY,
effect of statement of in bill of lading, 1420.

QUANTITY,
effect of statement of in bill of lading, 1420.

QAUNTUM MERUIT,
recovering on for extra work, 1060, n.
when contractor may recover on, 1062, n.

QUARRIES,
condemnation for roads leading to, 961.

QUASI-PUBLIC CORPORATION,
when property of may be condemned, 964.

QUASI-PUBLIC WORKS,
railroads are, 33.

QUESTIONS OF FACT,
acceptance of charter is, 17, n.
ratification of subscription, 104.
performance of conditions to subscriptions, 116.
terminus meant is, when, 124.
extent of agent's authority usually is, 128.
when reasonableness of rules is, 202.
existence of relation of principal and agent, when is, 210.
whether act within scope of agent's authority, 214, n.
care and diligence exercised by corporate directors, 278.
scope of agent's authority, 296.
when negligence is for the jury, 1095.
as to best location for railroad crossing, 1120.
in condemnation proceedings, 1030a, 1030b.
whether flying switch was negligent, 1162.
when contributory negligence is, 1163.
whether child of age to be guilty of contributory negligence, 1172.
as to what is sufficient cattle-guard, 1198.
as to where fence required, 1202.
contributory negligence of traveler at highway crossing, 1179a.
whether damages are proximate result of injury, 1799.
care in keeping lookout for animals, 1205.
negligence in adopting machinery, 1224.
whether fire breaks should be put out, 1238.
child's contributory negligence, 1261.
scope of employe's authority usually is, 1266.
as to whether employe has knowledge of rules, 1294.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

QUESTIONS OF FACT—Continued.
whether station master is fellow-servant, 1326.
when existence of defect is, 1347.
when who has "charge and control" is, 1356.
whether party is a common carrier sometimes is, 1392, n.
as to whether transfer company is connecting carrier, 1399.
when delivery is, 1413.
as to whether carrier signed bill of lading, 1417, n.
as to sufficiency of terminal facilities, 1479.
when sufficiency of delivery is, 1517.
as to what is a reasonable time for delivery by the carrier, 1520.
as to what is reasonable time to remove goods, 1528.
negligence in boarding or alighting from moving train, 1628.
as to when passenger is guilty of negligence, 1633.
when what is baggage is, 1648.
when undue preference is, 1679.
amount of damages, 1825.

QUESTIONS OF LAW,
materiality of amendment of charter, 45.
when reasonableness of rules is, 202, 1280.
as to what is within police power, 664.
only considered on application for certiorari, 1054.
when ordinary care is, 1156.
when question of contributory negligence is, 1163, 1169, 1179b.
as to where fence required, 1202.
child's contributory negligence, 1261.
when sufficiency of terminal facilities is, 1479.
when sufficiency of delivery by the carrier is, 1517.
as to what is reasonable time to remove goods, 1528.
reasonableness of freight charges, 1560.
as to when passenger is guilty of negligence, 1633.
when what is baggage is, 1648.
when undue preference is, 1679.
where facts are undisputed, 1702.

QUI TAM ACTION,
how may be brought, 712, n.
when may be compromised, 713.

QUO WARRANTO,
effect of delay in attack by, 20, n.
against corporations, 52, 53.
against whom writ should be directed, 53.
jurisdiction in, 54.
repeal taking place of, 57.
to attack validity of consolidation, 337.
does not lie because of issue of stock below par, 88, n.
to question right to hold real estate, 405.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

QUO WARRANTO—Continued.
abandonment to lessee grounds for, 448.
to declare dissolution of corporation, 609.
general nature of the remedy and proceeding by, 644.
to try right of foreign corporation to do business, 644.
definition of writ of, 644.
removal to federal court, 646.
proceedings as defense to public aid, 874.

QUORUM,
board of directors making calls, effect, 136.
must be present at meeting of stockholders, 161.
what constitutes of directors, 260.
who should be counted in estimating of directors, 263.
at meeting of directors, 263.

QUOTIENT VERDICT,
validity of, 1046.

R

RAILROAD,
See RAILROAD COMPANY; STREET RAILWAYS; INTERURBAN RAILWAYS.
individual may operate, 1.
corporation may operate, 1.
limited company operating, 1, n.
synonymous with railway, 3.
definition of, 3, 4.
whether term includes street railroads, 6.
term as used in interstate commerce act, 1687.
amending pleading by changing word to railway, 3, n.
what word includes, 4.
property included within, 4.
is not a ferry, 4, n.
effect of word "railroad" in statutes, 6.
dummy line is, 6.
elevated road is, 7.
congress chartering, 25.
in more than one state, 26.
control of in more than one state, 27.
as property, 31.
construction of parallel not prevented, 32.
as a public highway, 33.
control and possession of, 33.
eminent domain aiding construction of, 33.
regarded as a public improvement, 33.
charter to build and operate, 41.
powers contained in charter of, 41.
right to cross highway, 41, 1099.
sale of as an entirety, 522.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROAD—Continued.
statutes regulating appointment of receivers for, 538.
equity assuming control of, 539.
general rules as to when receivers will be appointed for, 540.
right of receiver to dismantle unprofitable road, 578.
when regarded as complete under bond issue, 877.
extent to which courts have gone in control of, 542.
implied power to cross, 922.
no right to condemn longitudinally, 922.
existence of as notice, 1002.
general mechanic's lien law not applicable to, 1066.
can not be sold in fragments, 1074.
right to lay out highway across, 1098.
effect of authority to construct from point to point, 1101.
damages where highway is opened across, 1103.
municipal corporation as operator of, 1338.
operated by receivers, effect of employers' liability acts, 1341.
power of congress to establish, 1663, n.
in process of construction, whether carriers, 1393.
presumptions and burden of proof of ownership, 1777.

RAILROAD AID BONDS,
See MUNICIPAL AID BONDS.

RAILROAD AID ELECTION,
See ELECTION.

RAILROAD BONDS,
See BONDS; RAILROAD SECURITIES.
taxation of these on entire line, 27.

RAILROAD CHARTERS,
construction of, 38.
functions are not judicial, 675.
the power to create, 676.
validity of statutes creating, 676.
investing with judicial power, 677.

RAILROAD COMMISSIONERS,
See STATE RAILROAD COMMISSIONERS.
approving by-laws, 198.
nature of, 675.
power to compel removal of grade crossings, 668, n.
are not courts, 677, 685, n.
no authority to make unjust discriminations, 679.
are public officers, 680.
incidental powers of, 685.
whether election pledge disqualifies, 681.
disqualification because a shipper, 681.
power to compel railroad companies to provide reception rooms, 682.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROAD COMMISSIONERS—Continued.
have only such powers as are expressly or impliedly conferred, 682.
power to compel railroads to provide bulletin boards, 682.
power to order change of location of stations, 682, n.
power to compel construction of intersecting switches, 682, n.
power to compel railroad companies to run trains so as to connect with other railroads, 682a.
power to compel railroad companies to place track scales, 682a.
estoppel of railroad company by appearance before, 682a.
power to compel interstate mail trains to stop at county seats, 682a.
power to reduce freight on particular articles though not carried at a profit, 693.
power to authorize railroad crossings, 682a.
power to compel railroad companies to erect depots, 682a.
power to compel maintenance of different depots, 694.
power to impose penalties, 697.
mandamus to enforce orders, 699.
taxes for salaries of, 777.
jurisdiction in railroad crossing cases, 1135b.
power to make rules as to reciprocal demurrage, 1662c.
requiring flagmen at crossings, 1157.

RAILROAD COMPANY,
See STREET RAILWAYS; INTERURBAN RAILWAYS.
definition and characteristics, 1, 1a.
organized under special charters or general laws, 1.
depot company not regarded as, 1, n.
state control of, 1.
operation and ownership by individuals or partnership, 1a.
when public corporation, 2.
when private corporation, 2.
ownership of property not necessary, 4.
organized by promoters, 10.
regarded as individual, 21.
misrepresentation by promoters, 13a.
number of incorporators, 15, n.
buying and selling property, 21.
"person" within constitution, 21.
when citizen, 21.
citizen of state creating, 23, 29.
right to go to federal courts, 23.
when citizen of two or more states, 23.
has a residence and domicile, 24.
foreign residence, 24.
service on in foreign state, 24.
appointing foreign agent, 24.
formed, by concurrent legislation, 26.
citizenship of, 28, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROAD COMPANY—Continued.
enjoining from making discriminations, 27.
as monopoly, 32.
power to offer reward, 42.
subject to police regulations, 44.
right to employ steamboats and stages in connection with its line, 41, n.
forfeiture of charter rights by illegal lease, 49, n.
constructing within limited time, 47.
power to sell its franchises, 71.
when may purchase stock in another company, 95.
successor recovering subscriptions, 126.
power to enact rules and regulations, 198, 199.
examples of rules which it may adopt, 200.
general doctrine as to contracts by, 216.
president as chief executive officer, 283.
power of station agent to bind by contracts, 303.
consolidation of, 339.
power to make contracts, 340.
contracting through directors, 347.
absolving itself from performance of public functions, 359.
right to use other company's track, 361.
illustrative cases of contracts that may be made by, 364.
power to lease comes from state, 385.
when holds real estate same as natural person, 403.
effect of conveyance to one not in existence, 409.
construction of deeds to, 415, 416.
power to convey real estate, 424.
dedicating land for highway, 425.
power to execute lease, 427, 428.
power to make leases, 430.
when may abandon franchises, 431.
power to accept leases, 432.
compelling by mandamus to operate road, 458.
liability for negligence of another company using track, 477.
power to issue notes and bonds, 480.
when may sell franchise and necessary property, 519.
power to purchase other company's franchise and property, 519.
appointing receiver for on its own application, 551.
who competent to act as receiver for, 561.
subject to state insolvency law, 599.
power to voluntarily dissolve, 608.
when may be sued in federal courts, 623.
resident of counties through which line passes, 623.
county in which it may be sued, 623.
subject and entitled to equitable remedies, 628.
when may be enjoined from occupying street or highway, 630.
mandatory injunction to compel performance of duty, 636.

Digitized by Google

[*References are to Sections*—*Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

RAILROAD COMPANY—Continued.
interest of public in as affecting right to writ of mandate, 637.
when mandamus may be issued against, 637.
power of legislature over, 657.
can not be deprived of right to compensation, 659.
as public corporation, 659.
constitutional protection, 660.
protected against double taxation, 660.
entitled to same constitutional protection as natural persons, 661.
right to hearing before railroad commission, 686.
penal offenses by, 709.
indicting for causing death, 716.
duty as to observing Sunday, 717.
indicting for maintaining a nuisance, 718, 1096.
when not liable for maintaining nuisance, 718.
various crimes against, 734.
classification of property for taxation, 740.
taxing in more than one state, 757.
local assessments against property of, 785.
ground upon which public aid to rests, 792.
aiding two by same grant, 805.
when state can not take stock in, 818.
taxing one company to aid another, 830.
construction of statutes authorizing aid to, 831.
remedies in reference to public aid, 874.
power of municipalities to aid, 875.
discretion in determining location of road, 920.
power to change its location, 929.
construction of conveyance to, 934.
dedication of land to use of, 947.
may acquire title by adverse possession, 948.
delegating power of eminent domain to, 954.
discretion as to selection of its route, 954.
purposes for which it may condemn, 960.
condemning land for future use, 962.
condemning property of, 964.
what estate secured by condemnation proceedings, 970.
condemning right of way of another company, 974.
using right of way of another company, 974.
condemning property of another company, 974.
exclusive possession of right of way, 987.
right to abandon condemnation proceedings, 1033.
a trespasser where condemnation proceedings void, 1055.
when may terminate construction contracts, 1058.
when liable for negligence of contractor, 1063.
duty to restore highway crossings, 1099, 1105.
proceedings by in crossing highways, 1101.
securing consent to cross highways, 1101.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROAD COMPANY—Continued.
duty as to constructing and maintaining crossings, 1102.
impairing rights by taking property, 1104.
mandamus to compel restoration of highway, 1106.
mandamus to compel construction of viaduct, 1111.
right to cross lines of another company, 1116.
what ones may invoke power of eminent domain, 1116.
securing crossings by agreement, 1117.
effort to agree as to crossings, 1119.
not allowed to impair franchise of other company by crossing, 1121.
crossings at grade, 1122.
crossings above or below grade, 1123.
number of crossings to which entitled, 1124.
contracting to stop at crossings, 1130.
trains colliding at railway crossings, 1132.
duty as to maintaining and repairing crossings, 1134.
how many private crossings may grant, 1137.
contracting to grant private crossings, 1141.
locating private crossings, 1143.
liable for destroying or impairing private crossing, 1148.
care required on part of at private crossings, 1150.
right to exclusive use of right of way, 1152.
rights and duties at public crossings, 1153.
prior right of passage at public crossings, 1153.
duty to avoid collisions, 1153.
duty at private crossings, 1154.
duty at crossings by custom or license, 1154.
common law duties at crossings, 1156.
collision with street cars, 1178.
suing it and street car company together, 1178.
not bound to fence at common law, 1180.
statutes imposing duty to fence tracks, 1181.
contracting with landowner to erect fences, 1187, 1188.
authority to use fire, 1221.
duty to extinguish fires, 1232.
liability where insured property destroyed by fire, 1234.
insurable interest in property along right of way, 1234.
contracting against negligence from fires, 1236.
liability for fire where road is operated under lease, 1237.
burden of disproving negligence in fire cases, 1242.
duty and liability to trespassers, 1253, 1254.
duty with respect to foreign cars, 1279.
duty to promulgate rules, 1280.
validity of statutes which only apply to, 1335.
effect of employers' liability acts where lines in different states, 1340.
power to establish relief department, 1379.
release by acceptance of benefits in relief association, 1384.
duty to transport cars of other companies, 1394.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROAD COMPANY—Continued.
conducting express company, 1394.
right to compel breaking of bulk, 1395.
as private carriers, 1396.
no duty to carry beyond terminus, 1432.
as warehousemen, 1463, 1464.
of what goods they are common carriers, 1466.
are common carriers of live stock, 1545.
right to make demurrage charges, 1567.
as carrier of passengers, 1573.
power to make rules and regulations, 1576.
right to issue limited tickets, 1598.
making contracts to give passes, 1611.
determining on what trains sleeping cars shall be run, 1619.
when liable for assaults by sleeping car employes, 1621.
can not contract away duties, 1625.
requiring compensation for sleeping car accommodations, 1625.
relation to passenger traveling in sleeping or parlor car, 1625.
when liable for injuries received in sleeping cars, 1640.
when it is interstate, 1673.
disabling itself from performing public duty, 1675.
duties of to public, 1662c.

RAILROAD COMPANY AS CARRIER,
See Carriers of Passengers; Common Carriers; Carriers of Goods; Carriers of Live Stock.
nature of duty of common carrier, 1391.
implied duty as carrier, 1392.
general nature and duties of, 1393.
carriage for other carriers, 1394.
breaking bulk, 1395.
transfer of goods from cars of one company to cars of another company, 1395.
right to prescribe extent of liability where company acts as private carrier, 1397.
switching companies, 1398.
transfer companies, 1399.
bridge companies, 1400.
express companies, 1401.
dispatch companies, 1401.
fast freight companies, 1401.
street railway companies, 1402.

RAILROAD CROSSINGS,
See Crossings of Railroads by Railroads; Highway Crossings; Injuries at Crossings.
right to, 41.
enjoining, 632.
complying with statutes authorizing, 632.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROAD CROSSINGS—Continued.
power of state commission to authorize crossing of tracks of one company by another, 682a.
control by railroad commissions, 683.
duty to stop at, 721.
determination of right of interurban road to cross, 1013b.
duty of interurban railway to signal at crossings, 1096bp.
whether look and listen rule applies to interurban railways, 1096bq.
injuries to persons crossing street railway tracks, 1096ci.
application of look and listen rule to street railways, 1096cj.
collisions between street cars and railroad trains, 1096ck.
jurisdiction of railroad commissioners to order, 1119, n.
interlocking devices, 1122a.
priority as between trains, 1133.
presumption that engineers will obey statute regulating priority, 1133.
crossing of interurban and steam railroads, 1135b.
negligence in failing to stop at, 1589.
pleading in actions for injuries at, 1761.
evidence in actions for injuries at, 1792.
pleading willful and wanton injuries at, 1762.
evidence on question of contributory negligence of traveler, 1793.
instructions in actions for injuries at, 1850.

RAILROAD FRANCHISES,
See FRANCHISES.
what are, 63.
nature of, 67.

RAILROAD IN SEVERAL STATES,
power of federal courts over, 27.

RAILROADS IN STREETS,
See STREET RAILWAYS.
authority to use streets, 1076.
implied authority of municipalities to grant use of street, 1077.
perpetuity, 1077.
how and by whom grant should be made or consent given, 1078.
nature and effect of grant by municipality, 1079.
construction of grant, illustrative cases, 1080.
right of municipality to impose conditions, 1081.
terms and conditions to constructing, 1081.
municipal regulation and control, 1082.
subject to reasonable regulations, 1082.
rights of rival companies in streets, 1083.
right of one company to use another's track, 1084.
rights of abutters, 1085.
special damages to abutting owner from, 1085.
rights of landowners other than abutters, 1086.
damages where property does not abut on street, 1086.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROADS IN STREETS—Continued.
commercial railroad as an additional burden, 1087.
when street railways are an additional burden, 1088.
railroads in narrow streets, 1089.
obstruction of highways, 1090.
nuisance, 1090.
bridges, approaches and viaducts, 1091.
duty of company to restore and repair, 1092.
respective rights of the company and of the public, 1093.
right of traveler to cross, 1093.
damages for injury to, 1093.
duty to travelers upon the street, 1094.
person on is not a trespasser, 1094.
liability for negligence, 1095.
contributory negligence of person on, 1095.
injury to person on, 1095.
remedies for unlawful use of street, 1096.
waiver of right to object to, 1096.

RAILROAD LINE,
describing in articles of incorporation, 18.
extending into foreign state, 26.
jurisdiction to appoint receivers for those in more than one state, 554.

RAILROAD PROPERTY,
See LAND GRANTS; REAL ESTATE; TAXATION OF RAILROAD PROPERTY.
what is real estate, 389.
a penal offense to injure, 733.
appropriate method of assessing, 737.
contract exempting from taxation, 770.
condemnation of, 992.
states taxing that used in interstate commerce, 755.

RAILROAD RECEIVERS,
See RECEIVERS.
compensation of, 584.

RAILROAD SECURITIES,
power of railroad companies to issue, 480.
power to guaranty bonds, 481.
issuing income bonds, 482.
convertible bonds, 483.
negotiability of bonds, 484.
bona fide purchasers of bonds, 484.
form and manner of issuing bonds, 485.
effect of irregularities in issuing, 485.
interest coupons, 486.
payment of bonds and interest, 487.
no power to mortgage without legislative authority, 488.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RAILROAD SECURITIES—Continued.
legislative authority to secure by mortgage, 489.
distinction between authority to mortgage franchises and authority to mortgage property, 490.
who may execute mortgage, 491.
ratification by stockholders of unauthorized mortgage, 492.
when ultra vires mortgage may be made effective, 493.
recording mortgages, 494.
as to what property is covered by a mortgage, 495.
what is covered by a mortgage of the undertaking, 496.
mortgage of after-acquired property, 497.
when mortgage covers fixtures, 498.
priority of mortgages, 500.
trust deeds, 501.
equitable and defective mortgages, 502.
statutory mortgages, 503.
debentures, 504.

RAILROAD TIES,
lien for those furnished, 1068, n.

RAILROAD TRACK,
See TRACKS.
definition of, 5.
what structures it includes, 5.
penalty for obstructing, 730.
condemning line across, 966.
animals attracted to, 1211.
contributory negligence in trespassing upon, 1257.
injury to trespassers upon, 1257.

RAILROAD USE,
taking property devoted to, 41.

RAILROAD YARDS,
safety for persons in, by invitation, 1248, n.

RAILS,
real estate, 31.
new ones subject to mortgage lien, 498.
when are not regarded as fixtures, 998.
laid under parol license, 998, n.

RAILWAY,
synonymous with "railroad," 3.
definition of, 3, 4.
amending pleadings by using word "railroad," 3, n.

RATE OF SPEED,
See SPEED.
when negligent, 1160.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RATE OF SPEED—Continued.
when company may regulate, 1204.
not negligence per se, 1204.
statutes regulating, 1204.
municipalities regulating, 1204.
when may be increased where animals are on track, 1204.
unusual as evidence of negligence, 1244.
injurying person beside the track, 1263.
when is and is not negligent, 1589.

RATE SHEETS,
duty to post, 1686.

RATES,
See FREIGHT CHARGES; GROUP RATES.
what lessee may charge, 461, n.
what constitutes unreasonable, 692, 693.
tests of reasonableness, 693.
what is unreasonable one, 693.
nature of power to make, 685.
company may be heard as to reasonableness of, 686.
effect of certificate of commission as to their reasonableness, 688.
evidence as to reasonableness of, 688, n.
power of courts to determine reasonableness of, 691.
courts will not fix, 691.
what constitutes discrimination as to, 1467.
discrimination in intra-state, 693.
power of commission to reduce on articles not carried at a profit, 693.
shippers must be treated alike as to, 1467.
lower where liability is limited by contract, 1495, 1504.
reduction of will not be presumed, 1504.
rule where it is fixed by contract, 1560.
effect of agent's mistake in naming, 1565.
power of interstate commerce commission, 1672.
fixing by combination, 1675.
where shippers have side tracks and switches, 1678.
state regulation of, 1670a.
distinction between scheme of maximum rates and order to do particular act, 1670b.
state regulation of, 1670b.
two cent fare statutes, 1670c.
power of interstate commerce commission to determine and prescribe, 1672a.
difference between same points in opposite directions, 1677.
determination of reasonableness of, 1684a.
for long and short hauls, 1682.
grouping stations for, 1683.
reasonable charges, 1684.
advances and reductions in, 1686.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RATIFICATION,
of promoters' contracts, 14.
of preliminary agreement to take stock, 102.
of contract of subscription, question for jury, 104.
of fraudulent subscription, 131.
of subscriptions, 132.
of unauthorized call, 135.
of agent's acts, 212.
of employment of surgeon, 222.
of agent's acts, effect as notice, 226.
of acts of corporate representatives, 227.
acts that may be ratified, 228.
what constitutes, 229.
of committee's action by board of directors, 257.
of unauthorized assessment, 258.
action at board of directors' meeting to which all were not notified, 262.
of acts of directors, 270.
of contract with director by acquiescence, 276.
of president's authorized acts, 289.
of contracts made by secretary, 295.
stockholders ratifying agreement of consolidation, 326.
when not necessary to show a formal one of contracts, 352.
of unauthorized acts of corporate officers, 353.
by stockholders presumed from acquiescence, 380.
of unauthorized or improperly executed mortgage, 492.
of ultra vires mortgage, 493.
legislative power to authorize of public aid proceedings, 844.
of railway aid subscriptions, 867.
of railway aid bonds irregularly issued, 894.
of conveyances made before organization, 933.
of invalid bonds, 894a.
legislative consent by, 958.
of acts of contractor, effect, 1063.
of willful act by master, 1265.
of original contract by connecting carrier, 1446.
of delivery to wrong person, 1531, n.
of willful act of employe, 1638, n.
of corporation when necessary to recovery of exemplary damages, 1802.

REAL ESTATE,
See RAILROAD PROPERTY; LAND GRANTS.
depots, 31.
station houses, 31.
water tanks, 31.
fixtures, 31.
rolling stock, 31, 389.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REAL ESTATE—Continued.
what railroad property regarded as, 31.
right of way, 31, 389.
road bed, 31.
ties, 31.
rails, 31.
side tracks, 31.
switches, 31.
stockholders can not convey, 237.
duty of consolidated company to convey land according to agreement of constituent company, 333.
who may raise question as to that acquired by ultra vires acts, 378.
what railroad property is, 389.
statutory authority requisite to hold, 390.
power to acquire, 391.
for what purposes may be acquired, 391.
implied power to acquire, 392.
illustrative cases of implied power to acquire, 393.
instances of denial of power to acquire, 394.
can not be acquired for speculation, 394.
title to is in the company, 395.
company must execute conveyances of, 395.
title not divested because it becomes unnecessary, 396.
effect of conveyance of that which company has no authority to hold, 397.
right of foreign corporation to hold, 398.
power to acquire by grant greater than by condemnation, 399.
acquisition of fee by private grant, 400.
acquisition by adverse possession, 401.
to what right possession is referred, 402.
rights of company where it has fee-simple title, 403.
effect of a conveyance of that which the company was not authorized to acquire, 404.
questioning the right to hold, 405.
enjoining purchase because of no power to hold, 406.
when executory contract to purchase not enforceable, 407.
estoppel of parties to deny corporate existence, 408.
deed of to company not in existence, 409.
formal execution of conveyances and agreements relating to, 410.
enforcing agreements to convey, 410.
contracts relating to under corporate seal, effect as evidence, 411.
acceptance of deed, 412.
distinction between a donation and sale of, 413.
deeds of company, who executes, 414.
construction of deeds to railroad companies, 415, 416.
presumption of acceptance of grants of, 417.
incidents pass with principal thing granted, 418.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REAL ESTATE—Continued.
effect of designating in the deed the purpose for which land is granted, 419.
covenants that run with the land, 420.
merger of preliminary agreement in deed, 421.
bonds for conveyance of, 422.
specific performance of contract to convey, 422.
presumption that there is power to hold, 423.
power of company to convey, 424.
dedication of for use as a highway, 425.
disposition of that which corporation has no power to hold, 426.
escheat of, 426.
mortgage of property belonging to company not used for railroad purposes, 497a.
power to mortgage, 489.
when covered by mortgage of after-acquired property, 497.
right of trustees in mortgage to maintain ejectment for, 514.
when reorganized company liable for that condemned, 526.
how affected by voluntary assignments, 599.
disposal of on dissolution of corporation, 611.
action regarding usually local, 623.
when not subject to garnishment, 626.
enjoining appropriation of where compensation has not been made, 629.
injunction where company seeks to take or condemn, 629.
suit to condemn, removal to federal court, 646.
power of railroad commission to condemn, 682.
taxation of that granted to railroad company, 779.
when that of railway company subject to local assessments, 785.
for what purposes it may be condemned, 930.
when may be condemned for relocation, 930, n.
grantee essential to every conveyance, 933.
authority to purchase for railroad purposes, 933.
when company may take by gift, 933.
construction of conveyance of to railroad company, 934.
specific performance of oral agreement to convey, 935.
effect of defective description in agreement to sell, 935.
company accepting conveyances of on condition, 939.
conditions subsequent in conveyances of, 941.
what covenants run with the land, 945.
dedication to use of railroad, 947.
when track becomes a part of, 949.
condemning where company already owns lands, 954.
right of construction company to condemn, 959.
for what purposes may be condemned, 960.
purposes to which it may be devoted after being condemned, 960.
condemning for branch and lateral roads, 961.
includes term easement, 980.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REAL ESTATE—Continued.
interest in acquired by condemnation proceedings, 970.
damages confined to particular tract, 992.
injury to tract not actually taken, 993.
market value before and after taking, 995.
reversion as affecting compensation and damages, 995.
cost of filling and restoring as damages, 996.
effect of unauthorized entry on, 998.
rights of vendor and vendee in respect to condemnation proceedings, 1001.
railway occupying constituting notice, 1002.
estoppel running with, 1003.
alleging purpose for which it is sought to be taken, 1029.
description of that sought to be condemned, 1029.
effect of pendency of proceedings to condemn, 1031.
proving purchase-price as tending to show value, 1036.
evidence of value of in condemnation proceedings, 1036.
when value can not be shown by proof of mere offers, 1036.
person testifying to value is not an expert, 1037.
who competent to testify as to its value, 1037.
farmers testifying as to value of, 1037.
opinions of witnesses as to value of, 1038.
showing value before and after taking, 1038.
description in report of commissioners, 1041.
remedy to enforce compensation for that taken, 1048.
injunction to prevent wrongful occupation of, 1049.
property rights in may be protected by injunction, 1049.
effect of appropriation by receiver, 1049, n.
effect where possession taken under erroneous proceedings, 1049, n.
possession of pending appeal, 1050.
entry on where tender of compensation and damages is refused, 1051.
trespass in taking possession of, 1055.
damage for that taken by railway crossing, 1127.
when right to private crossing runs with, 1149.
when contract in reference to fences runs with, 1188.
injury to by fire, 1222.
measure of damages for injury by fire, 1239.
value before and after injury by fire, 1239.
evidence of extent of injury to by fire, 1239, n.
when contract to give passes runs with, 1611.

REAL EVIDENCE,
when may be introduced, 1700.

REAL PARTY IN INTEREST,
See PARTIES.
insurance company as, 1234.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REASONABLE CARE,
See CARE; NEGLIGENCE; ORDINARY CARE.
where railroad is in street, 1094.
in use of tracks, 1095.
to keep crossings in repair, 1112.
when due trespasser, 1253.
to discover trespassers, 1254.
duty to exercise in regard to appliances, 1278.
in securing observance of rules, 1280, n.
in preparing time tables and schedules, 1281.
in employing servants, 1284.
measure of employer's duty, 1288.
to protect property on sleeping car, 1621.
duty of warehouseman to use, 1652.

REASONABLE CHARGES,
See FREIGHT CHARGES.
effect where carrier tenders, 1564.
for delay in unloading cars, 1567.
under interstate commerce act, 1684.

REASONABLE DEMAND,
when there must be for cars, 1476.

REASONABLE NOTICE,
required in condemnation cases, 1020.

REASONABLE RATE,
See REASONABLENESS OF RATES.
carrier bound to carry for, 1560.
what is, 1684.

REASONABLE REGULATIONS,
expelling persons for failing to comply with, 200.

REASONABLE TIME,
preferred stock must be issued within, 82.
stockholders must purchase new shares of stock within, 87.
for infant to disaffirm purchase or sale of stock, 93.
in which to withdraw conditional subscription, 115.
in which to complete road, 120.
in which to take advantage of fraud, 132.
for inspecting corporate books by stockholders, 172, n.
for disavowing agent's acts, 227.
for stockholders to claim dividends, 309.
in which to exchange bonds for stock, 483.
in which to sell under decree, 515.
in which to attack fraudulent foreclosure sale, 529.
for minority bondholders to act, 534.
for receiver to adopt or reject lease, 567.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REASONABLE TIME—Continued.
for company to restore street and highway, 639.
to enforce compensation and damages, 1007.
to pay damages in condemnation proceedings, 1033.
in which to remove debris from adjoining land, 1057.
to make repairs after discovery, 1176.
in which to repair fences, 1185.
in which to close and repair gates, 1200.
to make repairs to fences, 1209.
where bill of lading is silent as to time of shipment, 1423, n.
for connecting carrier to receive goods, 1449.
for consignee to remove goods, 1464.
for passengers to remove baggage, 1464, n.
for carrier to furnish cars, 1476.
duty to transport goods within, 1482.
in which to present claim for injury to freight, 1512.
carrier must make delivery in, 1520.
for delivery, question of fact as to what is, 1520.
consignee has in which to unload freight, 1521.
to secure identification of consignee, 1525.
for consignee to receive goods, 1527.
for consignee to inspect and remove goods, 1528.
custom and usage as affecting question of, 1528.
when a question of law or fact, 1528.
definition of, 1528.
for consignee to inspect and pay for goods, 1530.
duty to complete carriage of live stock within, 1555.
for passenger to leave depot or train, 1592.
for passenger to search for lost ticket, 1594, n.
keeping ticket office open for, 1603.
giving passenger reasonable time in which to pay fare, 1603.
for passengers to alight, 1628.
passenger trains stopping for, 1628.
to call for and claim baggage, 1652.
for passenger to call for baggage, 1659.

REASONABLENESS,
of by-laws for the court, 193.
of rules and regulations, 202.

REASONABLENESS OF RATES,
power of courts to determine, 691.
consideration of schedule as a whole determines reasonableness, 1684a.
consideration of expenses in determining question, 1684c.
basis on which capital or investment is to be determined, 1684b.
what compensation implies, 1684c.
consideration of profits on question of, 1684d.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REASONABLENESS OF RATES—Continued.
consideration of system as an entirety on question of, 1684e.
reasonableness of separate rate, 1684f.
right to consider competition on question, 1684g.
testing reasonableness of separate rate, 1684g.
presumption as to reasonableness, 1684i.
right to consider what traffic will bear, 1684h.

REBATE,
authority of agent to give, 303, n.
when common carrier may lawfully give, 388.
authority of receiver to pay, 566.
discrimination by allowing, 1565.
effect of agreement for, on liability for negligence, 1504a.
right of shipper to recover, 1565.
effect of interstate commerce law on contracts for, 1565, n.
discrimination and unjust preferences by giving, 1680.
as effected by interstate commerce act, 1680.
illegality of, 1680.

RECAPTION,
vendor exercising right of, 1543.

RECEIPT,
bill of lading as, 1415.
issuance not necessary to carrier's liability, 1462.
effect of limitation in, 1502.
carrier's right to on delivery, 1532.
ticket as, 1593.
baggage check as, 1655.

RECEIPT FOR DAMAGES,
See RELEASE.
effect of, 937.

RECEIVER,
See INSOLVENCY.
objecting to prosecution of writ of error in foreign state, 27, n.
appointing over line in two states, 27.
federal court appointing over line in two or more states, 27.
appointing because no foreign agent has been named, 30.
appointment of taking place of sequestration, 73.
collecting calls and assessments to pay debts, 146.
right to vote as stockholder, 158.
stockholder acting as, 169.
compromising corporate subscription, 177, n.
may recover unpaid installments of stock, 178.
bringing suits against stockholders, 184.
represents creditors, 184.
can not enforce statutory liability against stockholders, 187.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RECEIVER—Continued.
appointing on failure to elect officers, 248.
president has no power to consent to appointment of, 285.
when may claim unpaid dividends, 309.
may recover dividend paid by insolvent corporation, 315.
right to repudiate corporation's ultra vires contracts, 379, n.
power to lease, 465.
when may maintain suit to foreclose, 510.
who liable for negligence of, 515, n.
sale by pending foreclosure, 523.
how to apply proceeds derived pending foreclosure, 528.
when may assist in reorganization scheme, 536.
generally, 537.
duty to operate road until receivership terminated, 537.
definition of, 537.
indifferent between parties, 537.
when may and may not be sued, 537.
when may bring suits, 537.
jurisdiction of courts of equity to appoint, 538.
statutory provisions in reference to appointment of, 538.
effect of statute naming grounds for appointment of, 538.
statutes regulating appointment of for railroad companies, 538.
grounds for appointment of, 538, n.
power of court to appoint in vacation, 538, n., 559
jurisdiction to appoint sparingly exercised, 539.
purpose of appointment, 539.
appointing to manage road, 539.
for failure to run trains, 539, n.
will not be appointed because would do no harm, 540.
courts reluctant to appoint for railways, 540.
usually appoined only when suit is pending, 540, 560.
general rule as to when will be appointed, 540.
reviewing action of trial court in appointing on appeal, 540, n.
cases in which will be appointed, 540, n.
will not be appointed merely because parties consent, 541.
extent to which jurisdiction to appoint has been exercised, 542.
insolvency as ground for appointment of, 543.
to protect rights of stockholders, 543.
when insolvency without default sufficient to entitle to, 544.
will not be appointed because of expected insolvency, 544.
statute making insolvency ground for appointment of, 544.
default in payment of indebtedness as ground for appointment, 545.
taking charge of earnings, income, tolls and rents, 546.
taking charge of earnings pending foreclosure, 546.
appointing in foreclosure proceedings, 546.
only appointed when necessity and right clear, 546, n.
various grounds for appointment of, 547.
for purpose of completing road, 547.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RECEIVER—Continued.
appointing to prevent abuse of corporate franchises, 546, n.
appointment upon application of unsecured creditors, 548.
where claims have not been reduced to judgment, 548.
appointing in proceedings supplementary to execution, 548.
appointment upon application of secured creditors, 549.
appointment on application of junior mortgagee, 549.
appointing upon application of stockholders, 550.
appointing upon application of corporation, 551.
appointing where no suit pending, 551.
pending suit necessary for appointment at instance of corporation, 551.
what court may appoint, 552.
when may be appointed on appeal, 552.
selection of by master, 552.
court commissioner no power to appoint, 552.
application for usually made in federal courts, 552.
federal will follow state courts in appointment of, 552, n.
conflict of jurisdiction in appointment of, 553.
can not be interfered with by officers of another court, 553.
when appointment of not interference with other courts, 553.
jurisdiction of court which appoints, 553, n.
extra-territorial jurisdiction to appoint, 554.
courts compelling railway company to convey title to, 554.
when person appointed as becomes mere agent of corporation, 554, n.
ancillary appointment, 555.
effect of removal of suit in which appointed to the federal court, 555.
when creditors may obtain priority over, 555.
authority to maintain suits in foreign states, 555, 570.
when powers of will be extended over subject-matter of second suit, 555.
comity in matter of appointment, 555.
rights and titles in jurisdictions other than that appointed them, 555, n.
appointment on ex parte application, 556.
attachment and garnishment of property over which they appointed, 555, n.
procedure in appointment of, 556.
notice before appointment of, 556.
when may be appointed without notice, 556.
parties to proceedings for appointments of, 557.
appointments upon motion or petition and notice, 558.
notice of application for appointment of, 558.
appointing before answer or appearance, 558.
who may appoint, 559.
who may be appointed as, 561.
removing one appointed by collusion, 561.
appointment of officer a relative of large stockholder as, 561.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RECEIVER—Continued.
is officer of the court, 561.
order appointing, 562.
order appointing firing duties of, 562.
rights as against attachments and executions, 563.
effect of appointment, 563.
when title dates from, 563, n.
collateral attack on appointment of, 564.
title and possession of, 565.
control by the court, 566.
seeking advice of court as to expenses, 566.
authority, rights and duties of, 566.
court sanctioning contracts of, 567.
contracts of, 567.
suits by, 568, 569.
when may maintain suits in their own name, 568.
defenses to suits by, 569.
right to sue in other jurisdictions, 570.
right to protect property in their possession, 570.
court giving general leave to sue, 571.
obtaining leave to maintain suits against, 571.
suits against, 571.
effect of failure to obtain leave to sue, 572.
court of equity protecting, 572.
complainant alleging that leave to sue has been obtained, 572.
replevin against, 572, n.
suit of federal, in state court, 573.
right to sue receiver for wrongful acts committed before receivership, 573.
when property in hands of may be garnished, 573.
when may be sued without leave of court, 573.
effect of act of congress on right to bring suits against, 573.
foreclosure of mortgage on property in hands of, 573, n.
rule where suits have been begun before appointment of, 574.
when property in hands of may be levied upon, 574.
may be substituted as party in actions for tort, 574, n.
court directing them to enter into contracts with employes, 575.
protection of by the court, 575.
fining and punishing persons interfering with, 575.
general liability of, 576.
liability similar to that of company operating road, 576.
liability for torts, 577.
when liable for torts committed before his appointment, 577.
duty to obey orders of the court, 578.
right to dismantle unprofitable road and sell rails, 578.
bound to perform duties to public, 578.
mandamus against to compel performance of public duty, 578.
liability on contracts, 579.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RECEIVER—Continued.
liability on claims arising from operation of the road, 580.
liability for operation of leased lines, 580.
payment of claims on discharge of, 580.
liability of corporation during receivership, 581.
liability for failure to fence, 581, n.
court authorizing to lease road, 582.
for leased lines, 582.
duty to account to court appointing them, 583.
duty to allow inspection of books, 583.
when entitled to right of appeal, 583.
removal for failure to account, 583.
accounts of, 583.
when must look to person securing appointment for compensation, 584.
statutes fixing compensation of, 584.
periodic allowances before termination of receivership, 584, n.
compensation of, 584.
reducing compensation of on account of negligence or mismanagement, 584.
allowing him attorney's fees, 585.
grounds for removal of, 586.
removal and discharge of, 586.
court removing those who disagree, 586, n.
effect of removal or discharge of, 587.
latitude allowed in incurring debts, 590.
appointment of does not work dissolution, 606, n.
appointing to wind up corporation on dissolution, 612.
when property in hands of subject to garnishment, 626.
interfering with road in hands of a contempt, 633.
right to remove action brought against him, 649, n.
removing suits against those appointed by federal court, 652.
corporation can not be prosecuted for acts of, 709.
when not subject to penalty, 709.
how appointment affects power of eminent domain, 958.
how appointment affects question of corporate existence, 958.
condemning property in hands of, 963.
effect of appropriation of land by, 1049, n.
construction contract with, 1058.
appointing to complete construction of road, 1062.
duty to grant private crossings, 1142.
liability for injuries to animals, 1208.
appointment does not terminate existence of corporation, 1208.
liability for ejecting trespassers, 1255, n.
liability for fires set out by locomotives, 1247c.
takes subject to the law, 1341.
employer's liability acts where lines operated by, 1341.
implied duty to carry passengers, 1393.

Digitized by Google

RECEIVER—Continued.
contracting to carry beyond his line, 1434, n.
validity of contract by to give passes, 1611.

RECEIVER'S ACCOUNTS,
duty to make, 583.
referring to a master, 583.
when exceptions must be taken to, 583, n.

RECEIVER'S CERTIFICATES,
when issue of will not be enjoined, 553.
definition and nature of, 588.
power of courts to authorize, 589.
statutory authority to issue, 589, n.
purposes for which they may be issued, 590.
extent of power to issue, 590.
to raise money to complete the road, 590.
are paramount liens, 590.
order giving authority to issue, 591.
notice to parties before issuing, 581.
appeal from order authorizing, 591, n.
lien created by, 592.
selling property subject to lien of, 592.
priority of, 592.
statutory provisions as to lien of, 593.
negotiability of, 594.
effect of transfer of by indorsement, 594.
rights of holders of, 595.
holders charged with notice of what, 595.
sale of at a discount, 595.
who may question validity of, 596.
payment and redemption of, 597.
laches in presenting, 597.
holders sharing pro rata in proceeds on sale, 597.

RECEIVERSHIP,
See RECEIVERS.
termination of, 586.
when not terminated by removal or discharge of receiver, 587.

RECITALS,
effect of those in municipal aid bonds, 882, n.
in bonds creating an estoppel, 890, n.
can not give bonds validity, 895.
in bonds as notice, 896.
in municipal bonds as to statute under which issued, 896, 901.
in bonds general doctrine as to estopped by, 897.
of attempt to agree in condemnation cases not sufficient, 1027.
illustrative cases of estoppel by recital in bonds, 898.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RECITALS—Continued.
not always conclusive, 899.
to constitute an estoppel must be of facts, 901.
effect of against bondholders, 905.

RECORD,
effect of recording articles of association in wrong book, 18, n.
keeping of proceeding of directors, 265.
fraudulent interpolations in, effect, 265.
placing mortgages on, 494.
on removal of causes, 653.
duty of railroad commissioner to keep, 695.
effect on condemnation proceedings, 1001.
condemnation proceedings as matter of record, 1014, n.
fixing parties to condemnation proceedings, 1025.
when must be made of report of commissioners, 1043.

RECORD EVIDENCE,
patent for land as, 796.

REDEMPTION,
of stock after forfeiture, 154, n.
from sale to pay interest, 522.
from foreclosure sale, 530.
who may redeem from foreclosure sale, 530.
statute authorizing, 530.
from fraudulent sale to mortgagee, 535.
of receiver's certificates, 597.

REDUCED RATES,
when carrier may give, 1593.

REDUCTION,
of capital stock, 87.
of stock, how accomplished, 87.

REFERENCE,
making documents part of contracts by, 450, n.

REFRESHMENT ROOMS,
See EATING HOUSES.
contract to stop train at, 363.

REFRIGERATOR CARS,
when company must furnish, 1473.

REFUNDING,
of municipal aid bonds, 906.

REFUSAL,
of corporation to register transfer of stock, 98.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REFUSAL TO CARRY,
excuses for, 1466.
duty to state grounds of, 1471.
offer of goods, 1476.
extraordinary press of business as excuse for, 1575.
disregard for rules and regulations, 1576.
improper or unfit persons, 1577.
remedy for, 1691.
action for damages as remedy for, 1691.
duty of shipper on, 1691.
measure of damages for, 1691, n.
averring special damages, 1691, n.
where action for should be brought, 1691, n.

REGISTRATION,
of stock on transfer, 92, 94, 96, 97, 98.
of stock, who may demand, 98, n.
of stock, mandamus to compel, 98, n., 157, n.
of stock, as determining right to vote, 157.

REGISTRATION OF BONDS,
effect on their negotiability, 484.
when required, 899, 908.

REGULATION OF CHARGES,
test of reasonableness, 692.

"REGULATION OF INTERSTATE COMMERCE,"
See INTERSTATE COMMERCE.
meaning of the term, 1665.

REGULATIONS,
See RULES AND REGULATIONS.
governing transfer of stock, 93.
legislature prescribing for public acts and duties, 662.
authority to make it not legislative, 678.
states making for domestic commerce, 690.
power of legislature to prescribe, 721.
as to issuing transfer tickets, 1096db.

REJECTION,
of report of condemnation commissioners, 1045.

RELATION OF PASSENGER AND CARRIER,
See CARRIERS OF PASSENGERS; PASSENGERS.
when it begins, 1579.
authority of subordinate employes to create, 1580.
trespassers and intruders can not create, 1581.
termination of, 1592.
assault after it has ceased, 1638.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RELATOR,
who may be in suit for mandamus, 643.

RELEASE,
of stockholders, 176.
effect of legal disabilities on, 937.
in cases of injuries causing death, 1376.
avoiding, 1377.
tender in suit to avoid, 1377, 1697, n.
damages for killing stock, 1220c.
what injuries excluded by, 1377.
burden of proving fraud in, 1377.
there must be consideration for, 1377.
by accepting benefits in relief department, 1384.
when does not include claim for negligent treatment in hospital, 1390.
must be specially pleaded, 1696.
pleading, 1775.

RELIEF DEPARTMENTS AND HOSPITALS,
power of railroad company to establish, 1379.
relief association not an insurance company, 1380.
effect of rule that company can not contract against negligence, 1381.
contract to accept benefits and release company not against public policy, 1382.
consideration and mutuality of contract, 1383.
when acceptance of benefits releases company, 1384.
release of railroad company may be made a prerequisite to action against relief association, 1385.
suit against company releases relief association, 1386.
compromise with company releases relief association, 1386.
acceptance of benefits and relief both as beneficiary and administrator, 1387.
effect of release of acceptance of benefit in only one capactiy, 1387.
effect of acceptance of benefits by widow and child bar to action against company, 1387.
hospitals and medical attendance, 1388.
when company liable for negligence of surgeon in hospital, 1389.
when release of claim against company will not include claim for negligent treatment in hospital, 1390.
pleading release of damages by acceptance of benefits in, 1775.

RELIGIOUS PURPOSES,
property used for exempt from taxation, 781.

REMAINDERMAN,
right to dividends, 307.
when not bound by condemnation proceedings, 1020.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REMANDING CAUSES,
after removal to federal courts, 654, 655, 655a.
by consent not permitted, 655.
waiver of right to ask, 655.
for failure to file transcript, 655, n.

REMEDIAL STATUTES,
liberal construction of, 715.

REMEDIES,
See ACTIONS; INJUNCTION; MANDAMUS; REMOVAL OF CAUSE; EMINENT DOMAIN.
stockholders', 165, 169.
for enforcing liability of stockholders, 188, n.
relief where ultra vires contract has been performed, 373.
of old stockholders on consolidation, 328.
receiver will not be appointed where there is, 540.
can be no equitable relief where there is, 628.
as affecting right to writ of mandamus, 637.
mandamus will not be granted where there is, 640.
where there are rights, 697.
for illegal acts of railroad commissioners, 701.
rule where there is statutory, 702.
certiorari as remedy, 704.
to prevent collection of illegal taxes, 751.
for enforcement of local assessments, 790.
of taxpayers against public aid, 872.
of municipalities in reference to public aid, 873.
of railroad companies in reference to public aid, 874.
of bondholders, 918.
specific performance may be granted where there is, 935.
of grantor where company fails to perform conditions subsequent, 942.
to enforce payment in condemnation cases, 1048.
when statutory are exclusive, 1048.
of landowners for trespass before condemnation, 1049.
of landowners in appropriation cases, 1049.
injunction where there is none at law, 1049, 1125.
injunction by landowner against irregular condemnation, 1049a.
statutes of limitation in condemnation proceedings, 1049b.
of landowner where property taken in excess of that condemned, 1049g.
right of railroad company to conveyance of land taken, 1049h.
for breach of construction contract, 1062.
for enforcing lien, 1074.
for unlawful use of street, 1096.
mandamus to compel restoration of highway, 1106.
for breach of contract concerning railroad crossing, 1118.
for redress of trespasses, 1125.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REMEDIES—Continued.
for breach of contract to grant private crossing, 1141.
for breach of contract to fence, 1188.
law of the forum governs, 1365.
where excessive charges are demanded, 1564.
for breach of duty as common carrier, 1690.
for refusal to carry, 1691.
right to election of, 1693.
under interstate commerce act, 1688a.

REMITTITUR,
of damages, 1218, 1828.

REMOTE DAMAGES,
See DAMAGES; SPECULATIVE DAMAGES.
not allowed in condemnation proceedings, 991.
in condemnation proceedings, 991a.

REMOTE FIRES,
definition of, 1231.
liability for, 1231.

REMOVAL,
of directors from office, 271.

REMOVAL OF CAUSES,
by corporation to federal courts, 23.
state legislatures attempting to prevent, 23.
statutes now in force governing, 645.
when authorized, 645.
what are suits of a civil nature under the removal act, 646.
parties, 647.
court arranging parties as defendants and plaintiffs, 647.
can not be secured by joining nominal or improper parties, 647.
as affected by amount in controversy, 648.
on ground of diverse citizenship, 649.
right to add counter-claim to give jurisdiction, 648, n.
effect of mistaken or false statement of citizenship, 649.
state not a citizen within meaning of diverse citizenship, 649.
diversity of citizenship must exist at time suit is brought, 649.
separable controversy, 650.
prejudice as ground for, 651.
action against foreign company and resident employe, 650a.
local influence as ground for, 651.
right of one defendant to, 651.
sufficiency of affidavit for, 651.
how affected by interests and costs, 651.
amount in controversy, 651.
where one party is an alien, 651, n.
counter-affidavits as to prejudice or local influence, 651.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REMOVAL OF CAUSES—Continued.
removal where federal question is involved, 652.
illustrative cases of ground for, 652.
how to make federal question appear, 652.
time and manner of making application for, 653.
how filing of amended complaint affects right to, 653.
bond and record on, 653.
effect of application on jurisdiction of state and federal court, 654.
case removed where all steps for a removal perfected, 654.
duty of state court when petition is filed, 654.
application for constitutes appearance, 654.
effect where cause is remanded, 654.
when jurisdiction of federal court attaches, 654.
power of state courts over, 654.
can not be remanded by consent, 655.
burden of proof to show jurisdiction in, 655, n.
remanding to state court, 655a.
issue of fact on question of removability for federal court, 656a.
whether all defendants must join in petition to remove, 656a.
pleading and practice in federal court after removal, 656.
remanding and dismissing cause, 655.
recent cases involving question, 656a.
by state railroad commissioners, 708.
actions for recovery of penalties, 713.
condemnation proceedings to federal courts, 1010a.

REMOVAL OF RECEIVERS,
for failure to account, 583.
power of court over, 586.
effect of, 587.

REMUNERATION,
See FREIGHT CHARGES; COMPENSATION.
company can not be deprived of, 693.
right of common carrier to, 1558.

RENEWAL OF CHARTER,
consent of stockholders, 62.

RENT,
recovery of under unauthorized lease, 463.
priority over mortgage indebtedness, 580.
when entitled to no priority on appointment of receivers, 582, n.
how covenant to pay affected by dissolution, 611, n.
damages on account of decreased rental value of property, 996.
damages for causing loss of, 1057.

RENTAL VALUE,
as affected by condemnation proceedings, 996.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RENTS AND INCOME,
right of junior mortgagee to possession of, 549.
appointing receiver for without making lessee a party, 557.
duty of receiver to keep down incumbrances out of, 562.

REORGANIZATION,
See SALE AND REORGANIZATION.
fraud in, effect, 535.
court confirming plan of, 536.
by the courts, 536.
of company through purchasing committee, 531a.
by majority stockholders, 536.
exercise of eminent domain where power exhausted by predecessor, 962.

REPAIR SHOPS,
implied authority to maintain, 41.
purchasing land for, 933.

REPAIR TOOLS,
subject to mortgage lien, 498.

REPAIRS,
See PROMISE TO REPAIR.
implied power to make, 41.
paying for before paying dividends, 81.
appointing receiver when officers fail to make, 547.
authority of receiver to borrow money for purposes of, 589.
raising money on receivers' certificates for purposes of, 590.
levying local assessments to pay for, 783.
when mortgage prior to lien for, 1072, n.
of street by railroad company, 1081.
injuries to travelers caused by failure of street railway company to make repairs, 1096cc.
width of highway crossing to be kept in, 1114e.
making at highway crossing, 1112.
expenses of making at railroad crossing, 1127.
agreement to make at railway crossings, 1128.
agreement to make as condition precedent to securing railway crossing, 1134.
of railroad crossing, 1134.
of private crossing, 1146.
negligence in failing to make at crossings, 1176.
reasonable time to make after discovery, 1176.
proof of those subsequent to injury, 1177.
duty to make to fences, 1185.
duty to make to cattle-guards, 1198.
reasonable time to make to fences, 1209.
duty to make to fire-arresting apparatus, 1224.

Digitized by Google

REPAIRS—Continued.
duty to make to platforms, 1256.
effect of promise to make, 1272.
how promise to make affects employer's liability, 1295.
competency of evidence to show subsequent, 1349.

REPEAL,
of corporate charter, 43.
of by-laws, 196.
by implication, 645, n.
of city ordinances, 1079.

REPEAL OF CHARTER,
reserved power in reference to, 56.
where conditional power is reserved, 57.
by legislature in place of quo warranto, 57.
power of courts to review, 57.
rule where power is not reserved, 58.
effect of, 59, 611.
by general laws, 60.

REPLEVIN,
authority or receiver to maintain action of, 568, n.
when may be maintained against receiver without leave of court, 572, n.
when action for may be removed to federal court, 646.
right of pledgee to maintain, 1426.
where reasonable freight charges are tendered, 1564.
by consignee, 1708.

REPORT,
as to corporate business, effect of fraud in, 282.

REPORT OF COMMISSIONERS,
in condemnation cases, 1041.
confirmation by court, 1041.
must be in writing, 1041.
must be duly signed, 1041.
when must contain description of property, 1041.
what defects in may be waived, 1041.
matters required by statute must appear, 1041.
illustrative cases as to requisites of, 1042.
should show meeting of commissioners, 1042.
degree of certainty required in, 1042.
how closely statute must be followed, 1042.
extending time for making, 1043.
time within which report must be made, 1043.
when must be recorded, 1043.
objections to, 1043.
motion or petition to set aside, 1044.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REPORT OF COMMISSIONERS—Continued.
affidavits to support or impeach, 1044.
modification of, 1045.
remitting to commissioners for review and correction, 1045.
confirmation or rejection, 1045.
sufficiency of order confirming, 1045.

REPRESENTATIONS,
effect of false ones in obtaining subscriptions, 127.

REPUTATION,
admissibility of evidence of, on question of competency of fellow servants, 1796.

REQUEST,
See DEMAND.
to corporation to bring suit, 165.
when must precede suit by stockholder, 620, n.

RES ADJUDICATA,
See COLLATERAL ATTACK.
when appointment of receiver is, 564.

RESCISSION,
of contract made with promoter, 12.
of subscriptions, 132, 873.
when must be in toto, 132.
when can take place, 132.
when stockholder entitled to, 176.

RESCUE,
injury to one attempting, 1265h.

RESERVATION,
of right to amend or repeal charter, 43.

RESERVED LANDS,
how affected by land grants, 798.

RESERVED POWER,
in reference to repeal of charter, 56.

RESERVOIRS,
condemnation of right of way for reservoir site, 975b.
whether taxable as part of roadway, 738a.

RES GESTAE,
declarations and admissions as part of, 217.
agent's declarations as part of, 218.
in prosecution for obstructing track, 730.
what facts and circumstances are, 1689l.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RESIDENCE,
of signers of articles of incorporation, 18.
stating incorporators' in articles, 18.
only stated in articles when statute requires, 18, n.
of corporation, 24.
of federal corporations, 25.
stating directors', 36.
of railroad corporations, 623.

RESIDENT CREDITORS,
right as against foreign receivers, 570.

RES IPSA LOQUITUR,
doctrine of, 1263, 1634, 1644.
injuries caused by contact with electric wires, 1096cm.
doctrine in relation to injuries to street car passengers, 1096cx.
injuries to passengers by sudden closing of car door, 1644, n.

RESOLUTION,
directing payment of calls, 134.
providing for compensation of directors, 272.

RESPONDEAT SUPERIOR,
rule applicable to directors, 440.
railroad company liable for obstruction of streets though in violation of orders to employes, 719.
liability of street railway company for employe's willful acts, 1096dc.
doctrine of, 1316.
when rule of does not apply, 1625.

RESTAURANTS,
See EATING HOUSE.
implied authority to maintain, 41.
when company may maintain, 931.

RESTORATION OF ABANDONED ROAD,
mandamus to compel, 1056c.

RESTORATION OF HIGHWAY,
mandamus to compel, 639, 1106.

RESTRICTIONS,
bill of lading assigned subject to, 1429.

RETROSPECTIVE LAWS,
in reference to public aid, 843.

RETURN,
to service of process, 621, 622.

RETURN FOR TAXATION,
failure of corporation to make, 743.
duty of corporation to make, 792.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

REVERSION,
considering in fixing damages in condemnation proceedings, 994.
as affecting compensation and damages, 995.
of right of way on abandonment, 972a.

REVERSIONERS,
life tenant can not bind, 934.
as parties to condemnation proceedings, 1025.

REVOCATION,
of license by state, 29.
of conditional subscription by death, 112, n.
of conditional subscription, 113, n.
of dividends, 310.
of stock dividends, 313, n.

REWARD,
power of railway company to offer, 42.
right of director to for recovery of stolen property, 272, n.
authority of superintendent to offer, 297.

RIGHT OF ACTION,
validity of contract waiving, 1358.
where there is instantaneous death, 1363.

RIGHT OF WAY,
See ACQUISITION OF RIGHT OF WAY, DUTY TO FENCE; EMINENT DOMAIN.
definition of, 5.
real estate, 31.
implied power to condemn lands for, 41.
granted for free pass, 364, n.
agreement giving telegraph company exclusive right on void, 388.
is real estate and not personalty, 389.
presumption as to width, 401, 938.
what the term means in conveyances, 415.
local assessment on to pay for street, 786.
whether water reservoirs taxable as part of, 738a.
local assessment of, along side street, 787.
is not abutting property, 787.
mode of assessing, 788.
assessing as abutting property, 788.
loss of title to by adverse possession, 809.
enforcing local assessment against, 790.
one company using another's, 921, 922.
acquiring by purchase, 930.
sale to another company is not an abandonment, 931.
location of new line on abandoned, 922a.
reverting to owner on abandonment, 931.
title to by adverse possession, 931, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RIGHT OF WAY—Continued.
how width of fixed, 938.
meaning of, 938, n.
nature of title taken under deed, 938.
title to under warranty deed, 938, n.
right of private persons to attack title in collateral action, 938a.
lease of, 938b.
right of railroad company to sell, 938b.
right of railroad company to purchase, 933, n.
construction of deeds and contracts for, 934a.
where route is not described in deed of, 934b.
effect of failure to build railroad in accordance with contract, 940.
demand for compliance with conditions before suit for forfeiture, 942.
power of city to release company from performance of condition as to building road, 944.
over mineral lands, 946a.
use of lands acquired for right of way purposes, 946b.
title on abandonment of, 946c.
when lands can not be dedicated for, 947.
title to lands bought from one holding by adverse possession, 948.
adverse possession as against municipality, 948a.
condemning land for, 960.
when longitudinal condemnation authorized, 966.
increasing width by condemnation, 971.
width taken for under condemnation proceedings, 973.
ground upon which company may increase width of, 973.
condemning varying widths, 973.
how tracks may be located on, 973.
taking that of another road, 974.
longitudinal condemnation not permitted, 974.
injunction to prevent condemnation of, 974.
telegraph line as additional burden to, 977.
exclusive possession of, 987.
damage to landowner for fencing, 996.
how failure to procure affects construction contracts, 1062.
right of other roads to cross, 1116.
damage by constructing other line across, 1127.
how conveyance of affects right to private crossing, 1138.
right to private crossings where it was secured by condemnation proceedings, 1139.
stranger no right on, 1152.
fences must be erected along margin of, 1181.
secured by agreement to fence, 1188.
waiving duty to fence, 1189.
full width of must be protected by fences, 1199.
clearing entire width of combustibles, 1226.
duty to clear of combustibles, 1226.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RIGHT OF WAY—Continued.
statutes requiring removal of combustibles from, 1226.
fires set to burn off, 1227.
fires started on, 1229.
negligence in suffering fire to escape from, 1229.
liability for fires started off of, 1230.
insurable interest in property along, 1234.
burning property located on, 1235.
contracts in reference to location of buildings on, 1235.
contracting against liability for burning property on, 1236.
landowner erecting buildings near, 1238.
landowner stacking grain near, 1238.
placing property on awaiting shipment, 1238.
employes assuming danger of ditches and drains along, 1272.
giving passes in consideration for, 1611.

RIGHT TO VOTE,
how stockholders' determined, 157.

RIGHTS,
of foreign corporation, 26.
of stockholders, 156, 169.
extent of receiver's, 566.

RIGHTS AND REMEDIES,
See REMEDIES.
of stockholders objecting to issue of preferred stock, 82.

RIOTERS,
See STRIKES.
are not public enemies, 1458.

RIPARIAN PROPRIETOR,
enjoined from erecting levee, 632.
damages for interfering with, 976, 977.

RISK OF SERVICE,
See ASSUMPTION OF RISKS.
employe assuming, 1192.
structures near the track, 1269.
assumption of, 1269, 1270, 1288.
when dangers from low bridges are not, 1271.
ordinary dangers, 1283.
only ordinary ones assumed, 1288.
illustrative cases of, 1290.
effect where employe has knowledge of, 1292.
brakeman assumes ordinary ones, 1296.
assumption by engineers and firemen, 1297.
outside line of duty, 1304.
what defects employe takes risk of, 1311.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RISK OF SERVICE—Continued.
breach of statutory duty is not, 1345.
known defects, 1345.

RISKS,
passengers assuming on freight trains, 1582, 1609.
passengers assume some, 1585.
assumption of in riding on freight trains, 1629.

RIVAL BUSINESS,
when directors may engage in, 275.

RIVAL COMPANY,
effect of purchasing shares in for purposes of litigation, 167.
enjoining it from voting stock, 174, n.
rights in streets, 1083.
effect of colorable possession by one, 1083.
using track of other company, 1084.

RIVAL LINES,
See COMPETING ROADS.
cannot be leased, 447.
taxing to aid other road, 830.

RIVERS,
See BRIDGES.
selection of route for crossing, 1056, n.
construction of bridges over navigable waters, 1057c.
construction of artificial channels where natural channel is closed, 1057e.

ROAD,
See LOCATION OF ROAD; CONSTRUCTION OF ROAD.
abandoning as cause for forfeiture, 49.
conditions as to beginning and completing, 117.
when completed as to make subscription absolute, 117.
effect of abandonment of on subscriptions, 123.
effect of sale on subscriptions, 123.
contracts permitting use of part of, 357, 440.
appointing receiver to complete, 547.
mandamus to compel completion and operation of, 638.
when construction of deemed commenced, 1056, n.

ROAD-BED,
definition of, 5.
real estate, 31.
right to injunction to prevent interference with, 632.
using that of another company, 922.
duty to construct, 1056.
lien for clearing, 1068.
duty to put in reasonably safe condition, 1268.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ROAD-BED—Continued.
duty to keep safe owing to brakemen, 1296.
engineers assuming risks of defects in, 1297.
what company liable for defects in, 1573.
liability for defects in, 1584, 1625.
duty owing to passengers in respect to, 1585, 1629.
duty of carriers of passengers as to, 1586.

ROAD MASTER,
not authorized to employ surgeon, 222.
when vice-principal, 1324.

ROADWAY,
definition of, 5.
meaning of term in revenue laws, 738a.

ROBBERS,
stipulating against liability from loss by, 1513.

ROLLING STOCK,
not necessary to existence of corporation, 4.
real estate, 31.
personalty, 31.
when and when not real estate, 389.
when covered by general mortgage, 495.
mortgage covering after-acquired, 498.
what amounts to mortgage on, 502.
liability of receiver for rent on, 580.
suits of for purposes of taxation, 743b.
issuing receiver's certificates to pay for, 590.
amount company required to keep, 1470.

ROUND-HOUSES,
part of railroad track, 5.
street cannot be opened through, 1104.
erection of, 1056a.

ROUND-TRIP TICKETS,
when must be stamped at end of line, 1597.
for how long good, 1597.
effect of sale of by passenger, 1597.

ROUTE,
See LINE; LOCATION OF ROAD.
amending charter to change, 43.
slight change immaterial, 45, n.
subscriptions conditioned on location of, 116.
designating, effect on subscriptions, 121.
evidence of abandonment of, 122.
alteration of that fixed by charter, 122.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ROUTE—Continued.
contract to change, 374.
contract to influence location of is void, when, 386.
how staking and surveying affects land grants, 804.
discretion as to selection of, 920.
change of, 929.
discretion of company as to selection of, 954.
selection of most advantageous route for crossing rivers, 1056, n.
following that designated by shipper, 1440.
when initial carrier may select, 1440.
authority of initial carrier to select, 1569.
when customer not bound to take notice of, 200.
enforcement of, 201.
reasonableness of, 202, 1576.
when reasonableness a question of fact and when of law, 202, 1280.

RULES AND REGULATIONS,
See REGULATIONS.
implied authority to make, 41.
in England, 198.
distinguished from by-laws, 199.
right of railroad company to make, 199, 1567, 1576.
examples of those which company may make, 200.
general rules not to govern in case of emergency, 200.
of street railroad company as to size of bills to be accepted in payment of fare, 200.
rules affecting passengers, 200.
rules affecting shippers and freight, 200a.
rules affecting employes, 200b.
waiver or abrogation of, 202a.
effect of failure to enforce, 202a.
question of law whether reasonable, 202, n.
construction of written rule matter for court, 202, n.
conductor must enforce, 302.
authority of station agents to enact, 303.
power of legislature to require, 657.
posting in depots and stations, 662.
railroad commissioners making, 678, 695.
relating to street railway transfers, 1096db.
duty to procure observance of, 1280.
failure to promulgate as proximate cause, 1280.
duty of employes to obey, 1280.
duty to promulgate cannot be delegated, 1280.
knowledge of rules printed on time tables, 1281, n.
duty of master to promulgate, 1280.
violation of by employes, 1282.
effect of custom to disobey, 1282.
waiver of obedience to, 1282.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

RULES AND REGULATIONS—Continued.
duty of employe to acquaint himself with, 1294.
duty of employer to promulgate, 1294.
contributory negligence in disobeying, 1313, 1314.
adopted by car service associations, 1568.
passengers disregarding, 1576.
must be reasonable, 1576.
entering train in compliance with, 1579.
subordinate employes cannot abrogate, 1580.
employes no power to make, 1580.
person violating as trespasser, 1581.
right to make as to stop-over privileges, 1595.
affecting mileage tickets, 1600.
requiring extra fare when paid on the train, 1603.
as to carriage of baggage of person riding on pass, 1615.
effect of notice to passenger of, 1627.
against standing on steps and platforms, 1630, n.
ejecting passengers for failing to comply with, 1637.
effect where passenger knowingly disobeys, 1643, 1696.
as to receipt of baggage, 1651.
governing interchange of freight, 1685.
effect of violation by passenger, 1696.
pleading rules for regulation of employes, 1769.
presumption and burden of proof as to promulgation of, 1780.
burden of proof where injury result of disobedience, 1781.
admissibility of evidence of construction placed upon, 1795.

RUNNING BOARDS,
injuries to passengers riding on, 1096cz.

RUNNING SWITCHES,
validity of statute to prevent, 668.
injuries in making, 1265g.

RUSH OF BUSINESS,
See PRESS OF BUSINESS.
effect on duty to care for live stock, 1553.
effect of delay caused by, 1555.
as excuse for refusal to carry passengers, 1575.

S

SAFE WORKING PLACE,
See MASTER AND SERVANT.
duty of employer to furnish, 1267, n.

SAFETY APPLIANCE ACT,
scope of recent amendments, 1315i.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SALARIES,
power of directors to provide for payment of, 251.
effect of paying extravagant and unreasonable, 693.
consideration of on question of rates, 1684c.

SALE,
of railway in different states, 27.
of road as cause for forfeiture, 49.
of corporate franchise, 67.
of corporate property, effect on franchise, 70.
of corporate franchise on execution, 72.
corporate franchise, on dissolution, 75.
of corporate stock, 92.
of stock for less than par value, 110.
of road, effect on subscription, 123.
of stock on forfeiture, 150.
formalities to be observed in sale of forfeited shares of stock, 152.
lease having effect of, 455.
of entire road on foreclosure, 507.
sale of switches to owner of land, 385, n.
right of trustee to make, 514.
decree of foreclosure fixing terms of, 515.
of road in two states under decree, 515.
franchise and necessary property cannot be sold without statutory authority, 519.
power to mortgage does not authorize, 519.
railroad cannot be sold in fragmentary parts, 520.
appointing receiver to investigate that made by insolvent corporation, 541.
confirmation on day different from that fixed for court, 524, n.
what passes to purchaser at foreclosure sale, 525a.
disposition of proceeds, 527a.
re-organization through purchasing committee, 531a.
when that under execution after appointment of receiver void, 574.
lien of receiver's certificates on proceeds of, 592.
how affects appropriation cases, 1025.
proof of as evidence in condemnation cases, 1036.
as admissions in condemnation proceedings, 1036.
to enforce carrier's lien, 1571.
of franchise of street railway company, 1096ad.

SALE AND REORGANIZATION,
execution sales, 520.
foreclosure sales, 521.
sale on default in payment of interest, 522.
sale of road as an entirety, 522.
sale of consolidated road, 523.
sale by receiver pending foreclosure, 523.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075: *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SALE AND REORGANIZATION—Continued.
discretion of trustees and officers as to time and manner of sale, 524.
effect of sale, 525.
purchaser's title, 525.
when purchaser takes title free from liabilities and liens, 526.
when debts and liabilities of old company must be assumed, 526.
disposition of proceeds of sale, 527.
six months' rule as to preferred claims, 528.
setting sale aside, 529.
redemption, 530.
reorganization by purchasers at sale, 531.
power of legislature to provide for reorganization, 531.
statutory reorganization, 532.
liability of new corporation, 532.
rights of stockholders in the new corporation, 532.
rights of minority upon reorganization by agreement, 533.
rights and obligations of the parties, 534.
laches and estoppel, 534.
effect of fraud in, 535.
reorganization by the courts, 536.

SALE OF LAND,
distinguished from donation of, 413.

SCALES,
railroad's implied authority to maintain, 41, n.

SCALPERS,
regulation of, 728, 1599.

SCALPING,
statutes to prevent, 1599.

SCHEDULE,
authority of conductor to change, 302.
mandamus to control size of type for printing, 641, n.
posting in depots and stations, 662, 1686.
action to enforce, 698.
mandamus to compel posting of, 699.
parties to suit to enjoin establishment of, 703.
statute requiring posting is constitutional, 722.
duty to prepare cannot be delegated, 1281.
duty of company to adopt, 1281.
of rates, under interstate commerce law, 1684i.
consideration of on question of reasonableness, 1684a.

SCHOOLS,
reduced fare on street cars for pupils, 1096ah.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SCINTILLA OF EVIDENCE,
not sufficient to justify verdict, 1696.
not sufficient to carry case to the jury, 1702.

SCIRE FACIAS,
See QUO WARRANTO.
to question corporate charter, 53.
as remedy to enforce mechanic's lien, 1074.

SCOPE OF AUTHORITY OR EMPLOYMENT,
See MASTER AND SERVANT; CORPORATE REPRESENTATIVES; RESPONDEAT SUPERIOR.
liability for agents' acts within, 213.
of corporate representatives, 215.
effect of agent exceeding, 216.
declarations and admissions within, effect of, 217.
of corporate representatives, 221.
liability of directors for acts within, 279.
secretary acting within, 295.
company liable for acts of employes within, 1255.
brakeman ejecting trespassers, 1255.
how to determine, 1266.
as question of fact, 1266.
acts of conductor without, 1265.
torts committed outside of, 1265.
liability for employer's willful acts within, 1265.
performing work outside of, 1303.
when employe without is mere licensee, 1303.
assaults by employes within, 1638.

SCRIP,
dividends payable in, 319.
paying interest on bonds in, 482.

SEAL,
when contracts must be made under, 345, 410.
when necessary to validity of bonds, 485.
company turning over to receiver, 562, n.

SEATS,
effect of failure to furnish passengers with, 1630.

SECOND APPROPRIATION,
when may be made under eminent domain power, 962.

SECOND MORTGAGE BONDS,
when may have priority over first mortgage bonds, 500.

SECRET AGREEMENTS,
effect of those made with promoters, 11, n.
when subscriber cannot take advantage of, 126.

Digitized by Google

SECRET AGREEMENTS—Continued.
when render subscription fraudulent, 131.
to release subscriber is invalid, 176, n.
with stockholders, fraud, 181.

SECRETARY,
notice to is notice to corporation, when, 226, n.
authority and powers of, 295.
attaching seals to contracts, 345, n.
affidavit by in support of change of venue, 615, n.
is not laborer within lien law, 1070, n.
service of notice on, 1071.

SECRETARY OF STATE,
filing articles of association with, 18, 326.
declaring forfeiture of corporate charter, 54, n.
filing map of location with, 926.

SECTION AGENT,
See AGENTS.
authority to employ surgeon, 222.

SECTION FOREMAN,
authority to invite person to ride on hand-car, 221.
service of process on, 621.
when vice-principal and when fellow-servant, 1319.

SECTION MEN,
assuming risks from running of trains, 1298.
as fellow-servants of trainmen, 1324, 1332.
contributory negligence of, 1315a.

SECUNDUM ALLEGATA ET PROBATA,
plaintiff can recover only, 1309, 1628, 1696, 1697.

SECURED CREDITORS,
See CREDITORS.
appointment of receiver upon application of, 549.
how affected by appointment of receiver, 563.

SECURITIES,
See RAILROAD SECURITIES.
implied power to take and dispose of, 42.
rights of innocent holder, 351.

SEIZURE UNDER LEGAL PROCESS,
as excuse for failure to deliver, 1537.

SELLER,
See VENDOR.
when still liable on stock, 95.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SENIOR MORTGAGEE,
appointing receiver when he is in possession, 549.
duty to junior mortgagee, 549.

SENSES,
See CROSSINGS.
duty of traveler to use, 1157.

SENTIMENTAL DAMAGES,
in condemnation proceedings, 991a.

SEPARABLE CONTROVERSY,
in removal of causes, 650.
question of determined from pleadings, 650.
cannot be raised by answer, 650.

SEPARATE ACTIONS,
to enforce contract of subscription, 105.

SEPARATE CARS,
for ladies and escorts, 200.
for colored passengers, 200.
indictment under act requiring, 710a.

SEQUESTRATION,
of corporate property, 73.
appointing receivers taking place of, 73.

SEQUESTRATOR,
See RECEIVERS.
how distributes money received, 73.
discharge of when debts are paid, 73.
power to sell corporate property, 73, n.

SERVANTS,
See MASTER AND SERVANT; EMPLOYES; INJURIES TO EMPLOYE.
corporate power to choose, 203.
authority to employ, who has, 225.
president's power to employ and discharge, 285.
distinguished from intermediate agents, 301.
when lessor liable to lessee's, 472.
liability for torts of, 617, n.
distinguished from corporate representatives or officers, 1266.
power to waive obedience to rules, 1282.
duty to employ competent ones, 1284.
notice of incompetency of, 1322.

SERVICE OF NOTICE,
in actions against corporations, 621.
return of, 622.
in appropriation cases, 1023.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SERVICE OF NOTICE—Continued.
following statutory mode, 1023.
on agent, when sufficient, 1023.

SERVICES,
paying for with watered stock, 88.
payment of subscription by, 106, 110.
compensation for those rendered by directors, 272.
right of receiver to compensation for, 584.
company can not be compelled to render gratuitous, 672.

SERVITUDES,
See EMINENT DOMAIN.

SET-OFF,
when stockholder entitled to against personal liability, 186.
against claim for dividends, 310.
by stockholder to action by receiver, 569.
garnishee may set up defense of, 625, n.
of damages against freight charges, 1558.

SEWER,
local assessment to pay for, 786.

SHAREHOLDERS,
See STOCKHOLDERS.
vested right in property, 43.
when not bound by new charter, 43.
how repeal of charter affects, 59.
holders of preferred stock are, 83.
asking cancellation of gratuitous stock, 89.
lien on stock of, 100.
right to inspect corporate records, 265.
relation of president to, 291.
remedy for where directors fail to declare dividend, 314.
how rights of affected by repeal of charter, 611.
right to share with other creditors on dissolution, 614.
when may be treated as partners, 619.

SHARES OF STOCK,
See STOCK; STOCKHOLDERS.
state may own, 2.
stating in charter number taken by subscribers, 36.
certificates of, 78.
personal property, 79.
issue of fraudulent and spurious, effect, 79, n.
issuing new ones on increase of capital stock, 87.
purchasing and cancelling, 87.
purchase of reissued, 87, n.
sale and transfer of, 92.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SHARES OF STOCK—Continued.
personal property, 92.
who may own and transfer, 93.
married woman may own, 93.
purchase with trust funds, 94.
purchase for benefit of cestui que trust, 94.
when corporation can buy and sell its own, 95.
corporation taking in payment of debts, 95.
acceptance of constituting one a shareholder, 103.
forfeiture of for nonpayment of calls and assessments, 149.
forfeiture of on failure to pay subscriptions, 109, n.
liability of transferee for calls and assessments, 150, n.
each one usually entitled to one vote, 160.
by-law forfeiting is invalid, when, 193, n.
when by-law can provide for forfeiture of, 197.
enforcing lien against by set-off or counterclaim to dividends, 310.
receiving bonds in payment for, 483.
when may be reached by attachment, 626.
when stockholder may enjoin voting of, 634.
when stockholder may enjoin forfeiture of, 634.
when mandamus proper to compel transfer of, 637, n.
taxation of, 743.

SHEEP,
duty to fence against, 1190.
duty to furnish double deck cars for shipping, 1551, n.

SHERIFF,
assisting receiver to obtain possession, 565.
as interested party, 1024.

SHIPMENT,
liability for delay in, 1409.
issuing bills of lading after, 1423.

SHIPPERS,
See CONSIGNOR.
discrimination in favor of, 364.
when may be enjoined from bringing suits, 632.
mandatory injunction to secure conveniences for, 635.
mandamus to compel company to treat all alike, 640.
effect of requirement that they shall load, 1405.
delivery by agent of, 1408.
need not sign bill of lading, 1417.
effect of acceptance of bill of lading by, 1417.
making out bill of lading, 1417, n.
disclosing value of goods shipped, 1421.
deceiving carrier as to value of goods, 1421.
misdirecting goods, liability of carrier for loss, 1432.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SHIPPERS—Continued.
effect of where bill of lading made to shipper's order, 1427.
change of consignment by, 1431.
failure to read bill of lading, 1438.
duty to obey instructions of, 1440, 1462, 1490.
notice to of connecting carrier's refusal to receive goods, 1440.
paying connecting carrier additional compensation, effect, 1451.
liability of connecting carriers for, 1447, 1448.
making initial carrier a forwarding agent, 1451.
suing initial carrier, 1452.
when connecting carriers liable to as partners, 1452.
goods lost through fault of, 1454.
notice to of legal proceedings, 1461.
must be treated alike as to rates, 1467.
burden of proof on to show unjust discrimination, 1467, n.
duty to treat all alike, 1468.
giving notice that cars are required, 1476.
selection of cars by, 1480.
notice to of delay, 1487.
delay in transportation caused by, 1489.
fraud of, 1491.
negligence in packing and loading goods, 1492.
placing goods in an exposed position, 1493.
bound by printed conditions in bill of lading, 1494.
not bound by general notice limiting liability, 1501.
effect of their knowledge of general notice limiting liability, 1501.
when required to sign contract of shipment, 1501.
bound by conditions in bill of lading, 1502, n.
option to accept reduced rate, 1504.
power of their agents to agree to contract limiting liability, 1507.
effect of insurance taken by, 1509.
when insurance company subrogated to rights of, 1509.
when bound by stipulation as to value, 1510.
when estopped by value given, 1510.
when must show freedom from negligence on their part, 1516.
when burden of proof as to loss rests on, 1516.
carrier not liable for loss caused by fraud of, 1534.
non-delivery caused by acts of, 1535.
negligence or mistake of in marking goods, 1535.
right to change directions or instructions, 1536.
accompanying shipment of live stock, 1549.
negligence of in loading live stock, 1550.
effect where they select cars, 1551.
giving them opportunity to load and unload stock, 1552.
feeding and watering stock, 1553.
when may recover excess freight charges, 1560.
tendering reasonable charges, 1564.
right to recover rebates, 1565.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SHIPPERS—Continued.
effect of granting privilege to, 1676.
effect of furnishing cartage to some, 1678.
rates where they have side tracks and switches, 1678.
unreasonable classification of, 1678.
effect of giving rebates to, 1680.
notice and demand for cars, 1691.
duty of on refusal to carry goods of, 1691.

SHIPPING DIRECTIONS,
effect of countermanding, 1536.

SHIPPING NOTE,
construed with bill of lading, 1424.

SHIPPING RECEIPT,
in effect the same as a bill of lading, 1415, n.

SHOOTING AT CAR,
as a crime, 731.

SHOPS,
right to acquire real estate for, 39?.
land may be condemned for, 960.
condemning land for construction of, 971.
erection of, 1056a.

SHORT HAUL,
See LONG AND SHORT HAUL; INTERSTATE COMMERCE.
freight rates for, 1682.

SHRINKAGE,
effect on freight charges, 1561.

SICK PERSON,
refusal to carry as passenger, 1577.

SIDE-TRACKS,
real estate, 31.
power to build, 42.
not required to be completed in limited time, 47, n.
stipulation that none shall be built is void, when, 386.
right to acquire real estate for, 393.
construction of compelled by mandatory injunction, 635.
land may be condemned for, 960.
right to locate and construct, 923.
when land can not be condemned for, 961.
leading to manufacturing establishments, 961.
condemning land for one leading to turn-table, 971.
condemning land for construction of additional, 971.
condemning land for, generally, 973.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SIDE-TRACKS—Continued.
when contractor not entitled to extra pay for building, 1060.
when not a part of depot grounds, 1194, n.
loading freight in cars on does not constitute delivery, 1411.
when delivery upon is sufficient, 1521.
rates where shippers have, 1678.
discrimination in granting use of, 1678.

SIDEWALK,
constructing railroad on, 1080.

SIGNALMEN,
relation to company, 1328.

SIGNALS,
when lessee must give, 461, n.
duty of lessee to give, 471.
right of state to require at crossings, 662.
indictment for failure to give at crossings, 718, 721, 1158.
duty to give, 721.
crime to alter, 730.
duty of interurban railway to signal at crossings, 1096bp.
on street cars, 1096ce.
whether one signaling street car regarded a passenger, 1096cs.
requiring by law passed after road built, 1102.
at highway crossings, 1114.
by ringing bell or sounding whistle, 1114.
bell signals at highway crossings, 1114b.
failure to give causing injury, 1114.
when required at private crossings, 1150.
for whose benefit they are required, 1150, 1158, 1264.
when not required at private crossings, 1154.
duty to signal on approach to "traveled places," 1151a.
at highway crossings, 1156.
effect where ineffectual, 1156.
failing to heed those of flagman, 1157.
on approach to crossings, 1158.
whether duty to signal applies only to grade crossings, 1158.
effect of negative evidence as to giving, 1158.
at what highways required, 1158.
where train is being backed, 1162.
failure to give where party sees trains, 1168.
when omission amounts to an invitation to cross, 1171.
omission not an invitation to cross, 1171.
where animals are on the track, 1206.
proof of omission as evidence of negligence, 1206.
omission not negligence per se, 1206.
omission must be proximate cause of injury, 1206, 1264.
negligence in recklessly giving, 1207.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SIGNALS—Continued.
effect of custom to give, 1252.
whether trespassers entitled to, 1257.
while making up trains in yards, 1258.
frightening horses, liability, 1264.
to whom owing, 1264.
negligence in giving, 1264.
when not intended for benefit of employes, 1310, n.
duty to give for protection of passengers, 1589.

SIGNATURES,
to bonds, 485.

SIGN-BOARDS,
requiring company to keep at highways, 724.
cost as element of damage where street is opened, 1103.
when required at crossings, 1114, 1157.
defenses to actions for failure to erect at crossings, 1114.
fact of receivership not an excuse, 1114.
effect of slight deviation as to form, 1114.

SILENCE,
when constitutes waiver of conditions in subscriptions, 115.
ratification by, 227.
consent to reorganization scheme by, 533, n.
estoppel by, 871.

SIX-MONTHS' RULE,
in reference to preferred claims, 528.

SLANDER OF TITLE,
stockholder can not enjoin against the corporation, 634.

SLEEPING-CAR,
See PARLOR CARS.
porter not fellow-servant of trainmen, 1320.
rule requiring first-class tickets to ride on, 200.
rights of persons holding passes to be carried in, 1614.
contracting contagious disease on, 1618.
injuries caused by defects in, 1618.
who entitled to ride in, 1619.
duty to heat, 1621.
relation of railroad company to passenger on, 1625.
injury to passengers received in, 1640.

SLEEPING-CAR COMPANIES,
See BERTHS; PARLOR CAR COMPANIES.
levying privilege tax on, 762, n.
employe of as a passenger, 1578.
general nature of, 1616.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1891–1851.]

SLEEPING-CAR COMPANIES—Continued.
whether porter a railroad employe, 1267a.
neither common carriers nor inn-keepers, 1616.
effect of lease by, 1616, n.
duty to furnish accommodations, 1617.
judicial notice of what they undertake, 1617.
duty to return fare to person rejected because of disease, 1617.
liability for representations of agents as to operation of trains, 1617a.
duties not as broad as carriers', 1617.
refusing to receive unfit person, 1617.
liability for assaults committed by porters, 1618.
duties and liabilities of, 1618.
liability for defects in cars, 1618.
as instruments of interstate commerce, 1618.
how affected by public policy, 1618.
taxation of, 1618, n.
refusal to furnish berth, 1619.
right of railroad company to determine on what trains or tickets sleeping-car berths shall be furnished, 1619
tickets, 1620.
berths, 1620.
how many berths may sell to one passenger, 1620.
admitting insane persons, 1621.
liability for assaults by employes of, 1621.
duty to furnish means of getting in and out of berths, 1621a.
duty to awaken passengers, 1621.
illustrative cases of duties to passengers, 1621.
duties to passengers, 1621.
duty as to property of passengers, 1622.
duty as to employment of servants, 1622.
liability for theft on its cars, 1622.
baggage of passengers, 1623.
when have burden of proof where baggage is lost, 1623.
liability of for loss of property of passengers, 1623.
contributory negligence of passenger in loss of baggage or property, 1624.
relation of railroad to passenger traveling in sleeping-car, 1625.
relation of the railroad company to the passenger in sleeper, 1625a.
liability of railroad for injury to employe of company, 1625a.
railroad companies requiring compensation for sleeping-car accommodations, 1626.
limiting liability, 1627.
when employes regarded as employes of railroad company, 1640.

SLEEPING-CAR PORTERS,
See PORTERS.
passengers while riding on passes, 1604.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SLIGHT DEVIATIONS,
not ground for forfeiture of charter, 48.

SMALLPOX,
liability to passenger infected by negligence of company's agents, 1645a.

SMOKE,
right of adjoining owner to complain of, 418.
when not a nuisance, 718.
compensation for damages by, 978.
damage caused by, 995.
obstructing view at crossings, 1170.

SMOKING,
prohibiting in street cars, 1082, n.

SNOW,
obstructing cattle-guards, 1185, n., 1198.
duty of street railway company as to removal, 1096ap.
power of city to compel removal by street railroad company, 1096ag.

SNOW DRIFTS,
no duty to remove from fences, 1196, n.

SNOW PLOWS,
assumption of risk from ordinary use of, 1301a.

SNOW STORM,
excusing carrier's delay, 1555.

SOLDIER,
as a passenger, 1578, n.

SOLICITING AGENT,
when no power to contract for extra-terminal liability, 1437, n.

SOLICITING BUSINESS,
whether expenses of may be considered on question of rates, 1684c.

SOLICITOR,
See ATTORNEY; COUNSEL.
authority to employ surgeon, 222.
complainant's should not be appointed receiver, 561, n.

SOVEREIGNTY,
eminent domain an attribute of, 950.

SPARK ARRESTERS,
See FIRES SET BY RAILWAY COMPANIES.
duty of company in reference to, 1224.
effect where most improved are used, 1224.
duty to keep in repair, 1224.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SPARK ARRESTERS—Continued.
duty to inspect, 1224.
immaterial where fire started in combustibles, 1226.
burden of proof in showing condition of, 1242.
negligence in failing to use, 1244.
evidence of fires set out by same or other engine, 1243a.
judicial knowledge of general inadequacy, 1689h.

SPARKS,
appliances to prevent escape of, 1224.
negligent emission of, 1225.
emission as evidence of negligence in fire cases, 1244.

SPECIAL ACT,
forbidden by constitution, 18.
amending special charter, 34, n.
construction of one authorizing public aid, 836.
when invalid, 843, n.

SPECIAL APPEARANCE,
effect of, 654.

SPECIAL ASSESSMENT,
See LOCAL ASSESSMENTS.
is not civil action within removal act, 646.
referable to taxing power, 950, n.

SPECIAL BENEFITS,
deducting in fixing compensation and damages, 982.
from opening railroad, 987.
distinguished from general, 989.
definition of, 989.

SPECIAL CHARTER,
creation of corporation by, 16.
acceptance of, 16, n., 35.
must be accepted, 17.
presumption of acceptance, 17.
express acceptance not required, 17.
how derived, 34.
constitution prohibiting, 34.
amending by special act, 34, n.
when may be amended, 43.
repeal of by general laws, 60.
right to forfeit stock given by, 150, n.
fixing location of road in, 919.
change of route authorized by, 930.

SPECIAL CONTRACT,
See CONTRACTS; CONTRACTS LIMITING LIABILITY.
for carriage of passengers, 364.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SPECIAL CONTRACT—Continued.
limiting carrier's liability, 1394.
express companies do business under, 1394.
to carry beyond end of road, 1436.
right to limit liability by, 1500.
nature of one required to limit carrier's liability, 1501.
limiting liability, embodied in receipt or bill of lading, 1502.
limiting liability, burden of proof to show, 1516.
as to feeding, watering and caring for live stock, 1553.
to carry merchandise as baggage, 1649.
as defense to tort, 1693.

SPECIAL DAMAGE,
as ground for enjoining company from occupying street, 630.
by construction of railroad, 981.
to abutting owner from railroad in street, 1085.
from building street railway, 1088.
must be averred, 1691, n.
must be alleged and proved, 1696.
for delay, 1731.
pleading, 1773.
what are special damages, 1798.

SPECIAL ELECTION,
to grant public aid, 850.

SPECIAL LAWS,
can not be passed against railway companies, 660.
singling out railroads, 679.
when legislature may enact, 845, n.
statute prohibiting employment of females, 1336.

SPECIAL LEGISLATION,
curing defective corporate organization, 20, n.
against railway companies, 669.
employers' liability acts, 1335.

SPECIAL MEETINGS,
stockholders should be notified of, 164.
of board of directors, 261.
of board of directors, notice, 262.
when municipal officers can not grant public aid at, 850.

SPECIAL ORDERS,
to work outside line of duty, 1304.

SPECIAL PLEA,
of contract limiting liability, 1438.

SPECIAL PRIVILEGES,
when pass to new company on consolidation, 330.
when do not pass on consolidation, 331.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SPECIAL PROPERTY,
common carrier has in freight, 1404.

SPECIAL RATE,
effect where contract for is void, 1566, n.
effect of, 1680.
when carriers may make, 1687, n.

SPECIAL SERVICES,
compensation for, 1566.

SPECIAL STOCK,
issue of sometimes authorized, 77.

SPECIFIC ENUMERATION,
effect in employers' liability acts, 1342.

SPECIFIC FUND,
municipal aid bonds payable out of, 892.

SPECIFIC PERFORMANCE,
of contract to sell real estate, 422.
of contract to give mortgage trustees possession, 514.
reorganization agreement, 534.
rule where it would be inequitable, 935.
rules governing, 935.
may be granted where there is remedy at law, 935.
of agreement to sell right of way, 935.
when equity will not decree, 936.
of conditions subsequent, 942.
will not be decreed of construction contracts, 1062.
of contract in reference to railroad crossing, 1118.
of contract to grant private crossings, 1141.
of contract to construct private crossing, 1145.
of contract to give passes, 1611.

SPECIFIED DIVIDEND,
guaranteed, 86.

SPECULATION,
real estate can not be acquired for, 394.
receiver should not be permitted to expend money for purposes of, 590.
land can not be condemned for purpose of, 962.

SPECULATIVE DAMAGES,
may not be recovered, 1733, 1799.

SPEED OF TRAINS,
See OPERATION.
regulating in towns and cities, 668.
legislature regulating, 670.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

SPEED OF TRAINS—Continued.
penalty for unlawful, 723.
ordinance limiting rate of, 1082.
in running street cars, 1096ce, 1096cf.
right of city to control, 1096af.
when high rate of negligent, 1094.
excessive as negligence, 1095.
regulating that at crossings, 1156.
when rate of is negligent, 1160.
at highway crossings to be regulated according to danger, 1160, n.
company fixing rate of, 1204.
statutes regulating rate of, 1204.
great and unusual as evidence of negligence in fire cases, 1244.
negligence in maintaining excessive, 1589.
judicial knowledge of time within which train may be stopped, 1689h.
instructions on improper, 1835.

SPOONS,
when are not baggage, 1647, n.

SPRINGS,
condemning for purpose of securing water, 960.
when company not liable for draining, 977.
damages for destruction of in condemnation proceedings, 996.

SPUR TRACK,
See SIDE-TRACKS.
when land can not be condemned for, 961, n.

STAGE COSTUMES,
as baggage, 1647, n.

STAGES,
right of railroad company to operate in connection with its line, 41, n.

STAGNANT WATERS,
injuries from, 1057i.

STATE,
owning shares of railway stock, 2.
waiving defective corporate organization, 20.
quo warranto proceedings by, against corporations, 20, 644.
permitting foreign corporations to do business in, 22.
authority over federal corporations, 25.
railroads in more than one, 26.
imposing restrictions upon railways, 27, n.
concurrent action of several in creating corporations, 28.
revoking license, 29.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATE—Continued.
imposing conditions upon foreign corporations, 30.
granting franchises to competing companies, 32.
levying taxes to aid railway, 33.
its right to amend charter not affected by contracts of company, 43.
power to amend or repeal charter, 43, n.
waiving breach of corporate charter, 52.
what one stockholders' meeting must be held in, 164.
validating unauthorized corporate acts, 270.
attacking consolidation, 323, n.
right to object to ratification of contract, 353.
power to prevent corporation from exceeding its authority, 376.
granting power to foreign corporation to hold real estate, 398.
questioning right of corporation to hold real estate, 405.
leases where parties are corporations of different ones, 443.
when can not intervene in mortgage foreclosure suit, 511.
sale of road in two or foreclosure, 515.
rule of comity as to receivers, 555.
appointing receiver for railway extending into more than one, 554.
when must accept surrender of corporate charter, 608.
quo warranto proceedings on behalf of, 644.
can not deprive foreign corporation of right of removal, 649.
how commerce clause of federal constitution affects power of, 658.
can not regulate interstate commerce, 658, 667, 1664.
power over railway companies, 662.
can not make federal corporation a domestic one, 673.
power over property of a public nature, 674.
power to establish railroad commission, 674, n.
when estopped by decision of railroad commission, 696.
party to action to enforce schedule of rates, 698.
when suits may be brought against it, 700.
power to tax railroad property, 735.
can not obstruct interstate commerce, 754.
taxation of railroad in more than one state, 757.
when may levy an excise tax, 762.
when may withdraw exemption from taxation, 770.
must give equal protection of the laws, 772.
power to regulate domestic commerce, 780.
when trustee for railway company, 793.
imposing conditions in land grants, 797.
when regarded as private individual, 806.
how bound by acts of its officers, 806.
when may be estopped, 806.
preventing performance of conditions in land grant, effect, 807.
when has lien for guarantying bonds, 813.
when can not take stock in railway company, 818.
effect where prohibited from itself granting public aid, 818.
questioning rights of de facto corporation, 957.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATE—Continued.
what property of may be taken under eminent domain, 965.
police power of, duty to fence, 1182.
scope of its police power, 1183, n.
effect of employers' liability acts where lines in different ones, 1340.
can not exclude jurisdiction of the federal courts, 1362.
power to regulate rate of fare, 1593.
acting where congress refuses to act, 1663.
no power to regulate interstate commerce, 1664.
power of to pass police regulations is limited, 1668.
power to provide for safety of interstate passengers, 1668, n.
power to regulate right to contract, 1670.
power to regulate consolidation of companies, 1670.
can not encroach upon powers of federal government, 1670, n.

STATE AID,
by levying taxes, 33.
to railway companies, 812.

STATE AID BONDS,
See PUBLIC AID; MUNICIPAL AID BONDS.
how enforced, 503.

STATE COURT,
will not foreclose on property in control of federal court, 553.
when federal court refuses to recognize decrees of, 553, n.
how jurisdiction affected by application for removal from, 654.
can not determine jurisdiction of federal courts, 654.
federal court following rules of, 656.
removing causes from, 708.
federal courts following decisions of, 768, 915, 977, 1663.

STATE LEGISLATURE,
See LEGISLATURE.
power to prohibit business on Sunday, 1668.

STATE RAILROAD COMMISSIONERS,
See RAILROAD COMMISSION.
introductory, 674.
general powers of, 674.
nature of state railroad commissions, 675.
power to create railroad commissions, 676.
strictly judicial powers can not be conferred upon, 677.
granting authority to make regulations not a delegation of legislative power, 678.
legislature can not authorize them to make unjust discriminations, 679.
are public officers, 680.
qualification of, 681.
compelling company to operate lines, 682.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATE RAILROAD COMMISSIONERS—Continued.
power over crossings, 682.
controlling location of stations, 682.
illustrative cases of powers of, 682.
powers of, generally, 682.
jurisdiction of, 683.
possess quasi judicial power, 683.
jurisdiction not extended by implication, 684.
incidental powers of a railroad commission, 685.
right of railroad companies to a hearing before, 686.
orders of are not contracts, 687.
certificates of that rates are reasonable, 688.
regulation of charges for transporting property and passengers, 689.
can not regulate interstate commerce, 689.
regulating domestic commerce, 690.
determining reasonableness of freight and fare tariff of rates, 691.
regulation of charges, test of reasonableness, 692.
tariff of rates, tests of reasonableness, 693.
power to order company to provide stations, 694.
procedure before them, 695.
duty to keep record, 695.
effect of secretary's action, 695.
when must give notice, 695.
effect of decision that company not subject to forfeiture, 696.
enforcing orders of, 697.
mandamus to enforce order of, 698, 699.
illustrative cases of mandamus to enforce order of, 699.
penalty for violating order of, 699.
effect of suits against, 700.
remedy for illegal acts of, 701.
rule where there is specific statutory remedy, 702.
parties to suits against, 703.
certiorari to review proceedings of, 704.
injunction against, 705.
injunction to prevent them exceeding jurisdiction, 706.
vacating order on ground of fraud, 707.
subject to equity jurisdiction, 707.
federal question, removal from state courts, 708.
prescribing size of station building, 720.

STATED MEETINGS,
of board of directors, 261.

STATIONS,
See DEPOTS.
displaying rules and regulations in, 198.
rules regulating use of, 199.
rules requiring trains to stop at certain ones, 200.
contracts for location of, 362.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATIONS—Continued.
when contracts for location of against public policy, 386.
mandamus does not lie to compel location at particular point, 638, n.
mandamus to compel the company to maintain, 641.
right to discontinue, 641.
requiring railway company to maintain, 662.
posting rules and schedules in, 662.
mandamus to compel maintenance of, 662, 720.
compelling trains to stop at for designated time, 668.
power of railroad commission to control location of, 682.
power to order company to provide, 694.
power of legislature to compel establishment of, 694.
mandamus to compel location or construction of, 698, 720.
contract for location, validity, 699.
failure to maintain accommodations at, 720.
negligence in failure to properly keep, 720.
requiring blackboards and bulletins at, 722.
right to relocate, 931a.
construction of deed obligating railroad company to construct, 943, n.
duty to announce, 724.
validity of agreement as to location of, 941.
condemning land for, 973.
what is, under fence laws, 1194, n.
duty to construct, 1056.
duty as to person inquiring about freight, 1256.
person meeting passengers, 1256.
duty to persons at, generally, 1256.
strangers at, 1256.
delivery must be made at as a rule, 1411.
as proper place of delivery, 1519.
duty to provide means of reaching cars at, 1628.
duty of carrier as to, 1590a.
effect of announcement of, 1628.
when passengers can only be ejected at, 1637.
duty to provide light at, 1641.
duty to keep approaches to in repair, 1641.
duty to trespassers and licensees at, 1641.
injuries to passengers received at, 1641.
grouping for freight rates, 1683.

STATION ACCOMMODATIONS,
no extra charge for furnishing, 1566.

STATION AGENT,
authority to bind company by bill of lading, 303.
authority to employ help, 220.
power to bind company by promise to transport after original transportation ended, 303.
agreeing to furnish cars at other stations, 303.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATION AGENT—Continued.
judicial notice of powers of, 303.
when notice to is notice to company, 303, n.
service of notice on, 1071, 1100, n.
as fellow-servant of trainmen, 1346.
assumption that he has authority to receive freight, 1406.
when no authority to contract for extra-terminal liability, 1437, n.
without power to make discriminating contract, 1437, n.

STATION BUILDINGS,
liability for negligence in constructing, 467.
requiring company to light and heat, 668, n.
rule for ascertaining whether they are required, 1479.
duty to light, 1590.
duty as to maintenance, 1590.

STATION FACILITIES,
duty of company to provide, 1479.

STATION GROUNDS,
See Depot Grounds.
rules regulating use of, 199.
duty to fence at, 1194.

STATION-HOUSES,
real estate, 31.
railroad commission prescribing size of, 720.
a crime to break into, 732.
purchasing land for, 933.

STATION-MASTER,
See Station Agent.
authority to employ surgeon, 222.
when vice-principal and when fellow-servant, 1326.

STATION PLATFORM,
See Platforms.
action for injury because of defective, 573.

STATUTE,
See Employer's Liability Acts.
authorizing condemnation strictly construed, 6, n.
complying with in organizing corporation, 18, n.
railway companies "persons" within, 21.
preventing removal of causes void, 23, n.
requiring appointment of agent in foreign state, 24.
fixing rolling stock as realty or personalty, 31.
practical construction of, 40.
allowing corporation to buy its own stock, 95.
giving corporation lien on stock, 99.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATUTE—Continued.
requiring subscriptions to be made in specified manner, 103.
requiring cash deposit to complete subscription, 106.
limiting power to make calls and assessments, 138.
repealing statutory liability of stockholders, 185, n.
how to construe that authorizing leases, 433, 435.
authorizing leases must be strictly followed, 438.
when may amount to a mortgage, 503.
defining duties of mortgage trustees, 514.
giving stockholders' rights in new corporation upon reorganization, 532.
authorizing appointment of receiver on application of stockholders, 550.
giving receivers authority to maintain and defend suits, 568.
making railway companies liable, when apply to receivers, 577.
fixing compensation to which receivers entitled, 584.
authorizing receiver's certificates, 593.
preferring employes, 605.
exempting railroad employes' wages from garnishment, 627.
authorizing removal of causes, 645.
validity of that making police regulations, 665.
when must provide for hearing, 666.
validity of those creating railroad commissions, 676.
seeking intention in construction of, 683.
are part of a system, 697.
construction of penal statutes, 710.
remedial liberally construed, 715.
part valid and part void, 736.
strict construction of those exempting property from taxation, 750.
decisions becoming a part of, 768, 915.
construction of those granting land to railways, 794.
publication before enactment of, 815.
construction of those authorizing aid to railway companies, 831.
effect where they are vague and indefinite, 834.
are not to be considered in fragments, 834.
implied powers in construction of, 834.
requisites of curative, 845.
conferring authority to issue aid bonds, 875, 876.
following in issuing municipal aid bonds, 879.
construing so as not to conflict with constitution, 889.
validity of aid bonds issued beyond limit of, 890.
governing dedication, 947, n.
construction of those granting right to condemn lands, 955.
regulating procedure in appropriation cases, 1009.
must be followed in appropriation cases, 1010.
following in cases of appeals, 1053.
authorizing liens, 1067.
following in acquiring lien, 1071.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATUTE—Continued.
requiring construction of crossings, 1102.
relating to street railway transfers, 1096db.
imposing duty to restore highways, 1105.
preventing construction of grade crossings, 1122.
regulating expense of constructing railway crossings, 1128.
requiring watchmen and flagmen at railroad crossings, 1129.
requiring railroads to stop trains at crossings, 1131.
regulating priority of passage at crossings, 1133.
giving right to private crossings, 1138.
requiring flagmen at crossings, 1157.
imposing duty to fence, 1181.
imposing duty to fence rests upon the police power, 1182.
imposing duty to fence, constitutionality, 1183.
prescribing kind of fence for company to erect, 1184.
requiring maintenance of cattle-guards, 1198.
regulating speed of trains, 1204.
requiring signals at crossing, 1206.
allowing recovery of double damages, 1219.
requiring removal of combustibles from right of way, 1226.
changing burden of proof in fire cases, 1242.
giving attorney's fees in fire cases, 1246.
validity of employers' liability acts, 1335.
giving right of action for injuries causing death, 1359.
retrospective operation, 1360.
have no extra-territorial effect, 1364.
taking away defense of contributory negligence, 1374.
imposing duty to transport cars of other companies, 1394.
governing rights and duties of railroad companies, 1454.
prohibiting limiting of liability, 1499.
requiring contract limiting liability to be in writing, 1501
providing for enforcement of carrier's lien, 1571.
violating as to speed, 1589.
to prohibit brokerage and scalping of tickets, 1599.
prohibiting the granting of passes, 1613.
fixing place of ejecting passengers, 1637.
regulating amount of baggage, 1650.
of states regulating interstate commerce, 1664.
held to be regulation of interstate commerce, 1669.
held not to be regulation of interstate commerce, 1670.
intent of Congress the test in construction, 1667.
regulating pleading of ordinances, 1698.

STATUTE OF FRAUDS,
when subscription to stock is within, 103.
promise to pay corporate debts is within, 190.
corporate record entries taking case out of, 265.
when contract to give pass not within, 1611.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATUTE OF LIMITATIONS,
See LIMITATION OF ACTIONS.
when begins to run on dividends, 311.
governing right to recover dividend paid by insolvent corporation, 315.
applicable to interest coupons, 486.
application to receivers, 577, n.
garnishee may set up as a defense, 625, n.
as affecting title by adverse possession, 948.
governing condemnation proceedings, 1007.
as affecting payment of compensation and damages, 1007.
actions for injuries to animals, 1183.
actions for injuries causing death, 1373.
actions between connecting carriers, 1452.
where excessive freight charges are made, 1564, n.
barring action in tort, 1693.

STATUTORY AUTHORITY,
requisite to enable company to hold real estate, 390.
for sale of necessary property and franchises, 519.
to receivers to maintain suits, 568.
when necessary to grant of public aid, 827.
validity of bonds issued without, 895.
crossings of railroads secured under, 1118.
private crossings secured under, 1142.

STATUTORY CONSTRUCTION,
See STATUTE; LIBERAL CONSTRUCTION; STRICT CONSTRUCTION.
of statutes in favor of employes liberal, 605.
federal courts following state courts, 768.

STATUTORY DUTY,
violation as negligence, 711.
can not be escaped by hiring independent contractor, 1063.
explaining omission of, 1155.
contributory negligence where there is breach of, 1155, 1315.
proximate cause where there is breach of, 1155.
breach of as negligence per se, 1155.
breach of as evidence of negligence, 1155.
violation as negligence, 1155.
double damages for failing to perform, 1183.
can not be escaped by contract, 1190.
damages for failure to perform, 1207, n.
contributory negligence where there is breach of, 1214.

STATUTORY LIABILITY,
of stockholders, 185.
stockholders' defenses to actions to enforce, 186.
stockholders', who may institute action to enforce, 187.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STATUTORY LIABILITY—Continued.
how enforced against stockholders, 188.
stockholders', when must be preceded by judgment and execution, 188.
for fires, 1222.

STATUTORY LIENS,
operative after foreclosure sale, 526.

STATUTORY MODE,
must be pursued in forfeiture of stock, 152.
must be pursued in consolidation, 323.

STATUTORY MORTGAGE,
what will amount to, 503.

STATUTORY PENALTY,
recovering by indictment or information, 712.

STATUTORY PREFERENCE,
employes', who entitled to benefit of, 605.
in favor of employes, 605.

STATUTORY PRIVILEGES,
bestowed on agents, 205.

STATUTORY PROVISIONS,
authorizing amendments, 46.
for forfeiture of corporate charter, 47.
for consolidation, 326.

STATUTORY REGULATIONS,
power of legislature to enact, 709.
as to carriage of live stock, 1554.

STATUTORY SIGNALS,
See SIGNALS.

STAY OF EXECUTION,
injunction to secure, 1049, n.

STEALING RIDES,
defenses in prosecution for, 729.

STEAM,
implied authority to use as motive power, 41.
negligence in using unnecessary amount of, 1225.
frightening horses by letting off, 1264.

STEAMBOATS,
right of railroad companies to operate in connection with its line, 41, n.
power of railway company to own and operate, 374.
when not covered by general railroad mortgage, 495.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STEAMBOAT LINE,
power to contract with, 435.

STEAM RAILWAYS,
See RAILROADS.
street railways distinguished from, 6.
street railways crossing, 1135.

STEPS OF CAR,
standing on those of street car, 1630.
injury to passenger riding on, 1630.
rules and regulations against standing on, 1630, n.
as place of danger, 1630, n.

STIPULATIONS LIMITING LIABILITY,
how discrimination affects, 1369.

STOCK,
See SHARES OF STOCK; LIVE STOCK.
amount subscribed as condition precedent to organization, 18.
definition of, 76.
classes of corporate, 77.
shares of, 78.
certificates of, 78.
certificate as evidence of ownership of, 78, n.
how far certificates of negotiable, 79.
shares of are personal property, 79.
may be sold on execution, 79, n.
new certificates in place of lost ones, 80.
effect of fraud in issuing shares of, 80.
when new certificates not overissue of, 80.
preferred, 81.
priority of preferred, 81.
rights and remedies of stockholders dissenting to issue of preferred, 82.
when preferred may be issued, 82.
holder of preferred not a creditor, 83.
rights of preferred stockholders after payment of guaranteed dividend, 84.
future dividends, 84.
assignment of carriers' dividends, 84.
rights of preferred stockholders on dissolution, 85.
guaranteed, 86.
interest-bearing, 86.
income, 86.
debenture, 86.
increase and reduction of, 87.
watered, 88.
watered not absolutely void, 89.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOCK—Continued.
rights of creditors and liabilities of holders of watered stock, 90.
paid for by overvalued property, 91.
validity of overissue of, 89.
sale of on market, 91.
sale of that forfeited for non-payment of calls, 91.
can only be transferred on books of corporation, 92.
sale and transfer of, 92.
who may own and transfer shares of, 93.
buying and selling by agent, 93.
purchase and sale by trustees and fiduciaries, 94.
right of corporation to buy and sell, 95.
corporation reselling that transferred to it, 95.
held by corporation can not be voted, 95.
held by corporation can not draw dividends, 95.
authority to consolidate gives power to purchase, 95, n.
enjoining purchase of in another corporation, 95, n.
gifts and bequests of, 96.
may be transferred by will, 96.
blank assignment of, 97.
formality of transfer, 97.
registry of transfer of, 98.
manner of registering transfer of, 98, n.
effect of failure to register transfer of, 98.
refusal of corporation to register transfer of, 98.
lien of corporation on, 99.
when and to what lien on attaches, 100.
condemnation of stock of minority stockholders, 101a.
enforcement of lien on, 101.
waiver of lien on, 101.
preliminary agreement to take, 102.
form of subscription to, 103.
who may subscribe for, 107.
municipal corporations taking, 107.
sale for less than par value, 110.
conditional subscription, when not to be counted, 111.
implied conditions to subscriptions, 111a.
subscribed upon condition as to location, 121.
effect of false representations in securing subscription to, 128.
assessments on can not exceed par value of, 147.
corporation levying execution on, 149, n.
right of administrator or executor to vote, 156.
partner's right to vote, 156, n.
right to vote that issued as dividends, 157.
when required to be registered certain time before voting, 157.
right of trustees and receivers to vote, 158.
transferring to render one competent as a witness, 173.
restraining one from voting, 174.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOCK—Continued.
when may be paid for in property, 175.
liability of stockholder where it is transferred, 178.
when person seeking to be a director must own, 241.
paying corporate indebtedness in, 251.
when may be acquired in other corporations, 251.
liability of directors for issuing fraudulent, 282.
president purchasing from stockholder, 291, n.
assigning without assigning dividends, 305.
power to purchase that of other corporation, 323, n.
purchase of by consolidated company, 327.
when may purchase that of other company, 374.
company can not acquire in order to prevent competition, 385.
converting bonds into, 483.
when not subject to garnishment, 626.
when state can not take in railroad, 818.
compelling municipal corporations to take in railway, 824.
municipalities taking in branch roads, 826.
how change in municipality affects that taken in railway company, 853.
legislative control over that subscribed for by municipality, 868.
dividing among taxpayers, 868.
county owning and voting, 873.
municipal corporation enforcing delivery of, 873.
general power to subscribe for, 875.
estoppel by retention of, 904.
exchanging municipal aid bonds for, 907.
when purchaser of bonds entitled to, 910.

STOCK CAR,
passenger riding in, 1629, n.

STOCK DIVIDENDS,
increasing capital stock by, 87.
right to, life tenant, 307.
effect of on shareholders' interest, 307.
power to declare, 313.
effect of, 320.
definition of, 320.

STOCK GAPS,
contractor not entitled to extra pay for, 1060.

STOCK PENS,
injury on defective chute at, 1404.
injury to live stock by defective, 1548.
duty to furnish, 1551.
liability for defects in, 1551.

STOCK SUBSCRIPTIONS,
receiver suing to recover unpaid, 537, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOCK YARD,
compelling delivery of stock at, 636.
condemning land for tracks leading to, 960, n.
condemning land for, 960, n.
child injured by defective gate in, 1260.
duty to deliver stock at private, 1551.
rule as to sufficiency, 1551a.
should be maintained in safe and sanitary condition, 1551a.
drinking water, 1553.

STOCKHOLDERS,
See SHAREHOLDERS.
perfecting organization, 19.
consent to charter amendments, 45.
can not compel forfeiture, 47.
amount of interest in corporate property, 76, n.
ratifying issue of preferred stock, 82.
objecting to issue of preferred stock, 82.
increasing or decreasing capital stock, 87.
first right to take new stock, 87.
when participating estopped, 89.
reselling stock transferred to the corporation, 95.
not recognized unless stock is registered, 98.
estoppel to deny that one is, 103.
presumption that subscriber is, 108.
evidence that one is, 108.
money paid on stock is trust fund for creditors, 110.
power to make calls, 135.
voting to make calls and assessments, 138.
asking subscriber for calls constitutes one, when, 140, n.
notice to of calls and assessments, 141.
waiving notice of calls and assessments, 143.
extent of liability for assessments, 147.
when may be liable for further assessments on stock, 147.
remedy against for failure to pay calls and assessments, 149.
entitled to surplus on sale of shares on forfeiture, 150.
liability of in foreign corporation, 150, n.
rights after forfeiture of stock, 151.
when obligation to pay calls and assessments terminates, 151
when one becomes a, 155.
pledgee is not, 155, n.
rights of, 156.
who has the right to vote, 157.
how right of to vote determined, 157.
when can not make oath as to ownership of stock, 157, n.
right of trustees and receivers to vote as, 158.
right of corporations and voting trusts to vote as, 159.
number of votes to which they are entitled, 160.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOCKHOLDERS—Continued.
when may vote cumulative, 161.
quorum must be present at meeting of, 161.
voting by proxy, 162.
general powers of, 163.
rights of minority, 163.
when may give written consent to enactment of by-laws, 164.
meeting of, 164.
bringing mandamus to compel calling of meeting, 164.
bound to take notice of stated meetings, 164.
when may bring suit on behalf of the corporation, 165.
remedies of, 165.
unregistered assignees can not sue as, 166.
when may sue in federal court, 166.
third persons can not sue as, 166.
when they may sue or become parties, 167.
when may set up defenses for the corporation, 167.
when may recover insurance, 168.
rights and remedies of, 169.
when service on is service on corporation, 170.
as agents of the corporation, 170.
effect of notice to, 171.
right to inspect books, 172.
disqualified to serve as judges or jurors where corporation is interested, 173.
unlawful combinations and conspiracies to vote or prevent voting, 174.
one can not control or direct vote of another, 174, n.
denying liability where corporation is not regularly organized, 175.
liability for unpaid subscriptions, 175.
release of, 176.
withdrawal of, 176.
compromises with, 177.
liability where stock is transferred, 178.
when can not escape liability by transfer of stock, 178, n.
when creditors may enforce unpaid subscriptions against, 179.
must pay subscriptions promptly, when, 179.
can not set off claim as creditor against liability on stock, 179, n.
when may attack judgment against the corporation, 180.
how affected by judgment against corporation, 180.
when may defend, 181.
method of enforcing their liability, 182.
contribution among, 183.
when entitled to have all stockholders made parties, 183.
bringing suit to compel payment of unpaid subscriptions, 183.
suits by assignees and receivers against, 184.
statutory liability of, 185.
when are severally and jointly liable for debts, 185.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOCKHOLDERS—Continued.
liability not extinguished by expiration of charter, 185.
validity of statute attempting to repeal liability of, 185, n.
defenses to actions to enforce statutory liability against, 186.
release from several or joint liability, 186, n.
who may institute action to enforce statutory liability, 187.
how statutory liability is enforced, 188.
priority among those who are creditors, 189.
when liable as partners, 190.
power to make by-laws resides with, 194.
notice to the corporation, 226.
relation to the corporation, 237.
when may act for the corporation, 237.
usually choose directors, 240.
what powers belong to, 250.
when may have action of directors set aside, 250, n.
when must accept amendments to charter, 252, n.
right of majority to remove director, 271.
relation of directors to, 273.
directors are trustees for, 274.
attacking contract with director, 276.
becoming creditor of the corporation, 276, n.
when can not elect president, 283, n.
rights of in reference to dividends, 304.
when dividends belong to, 305.
right to dividends as against creditors, 309.
effect of failure to claim dividends in reasonable time, 309.
recovering dividends paid when corporation was insolvent, 315.
right to enjoin payment of dividends, 317.
right to sue directors, 318.
when may be declared, 320.
granting stock dividend to, 320.
applying dividends to their indebtedness, 321.
right to question consolidation, 323, n.
when all must consent to consolidation, 325.
ratifying agreement of consolidation, 326.
relation to new company formed by consolidation, 327.
right to condemn shares of dissenting, 325a.
remedies of old ones in consolidation, 328.
when may make contract, 349.
when estopped to question validity of contract, 349.
ratifying acts of corporate officers, 353.
enjoining performance of ultra vires contract, 372.
right to prevent corporate officers from deviating from corporate object, 376.
non-assenting assailing ultra vires contracts, 380.
title to real estate does not vest in, 395.
when may convey corporate real estate, 395.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III.* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOCKHOLDERS—Continued.
enjoining purchase of property which corporation has no right to hold, 406.
entitled to property which corporation not authorized to hold, 426.
consenting to lease, 439.
concurrence of necessary to execution of leases, 440.
what number must assent to leases, 441.
waiving formal execution of lease, 442.
enjoining execution of unauthorized lease, 479.
when may object to execution of mortgage, 491.
ratifying unauthorized or improperly executed mortgage, 492.
enjoining ultra vires mortgage, 493.
becoming parties when directors refuse to act, 511.
when may attack fraudulent foreclosure sale, 529.
right to prosecute suit for redemption, 530.
right to become members of new corporation after foreclosure, 532.
combining with bondholders to purchase at foreclosure sale, 533.
right to purchase at foreclosure sale, 535.
appointment of receiver at request of, 538, n.
equity protecting by appointment of receivers, 539.
receiver not appointed for dissatisfied, 540.
when left to remedy of electing new officers, 540, n.
receiver to protect rights of, 543.
receiver where they fail to act, 547.
appointing receiver upon application of, 550.
when directors become trustees for, 557.
when should not be appointed as receivers, 561.
right to make collateral attack on appointment of receiver, 564.
right to set off judgment against action by receiver, 569.
receivers suing for unpaid subscriptions, 569, n.
right to inspect books of receivers, 583.
consent of not necessary to voluntary assignment, 602.
corporation preferring as creditors, 604.
single one acquiring entire stock does not work dissolution, 606.
authorizing dissolution of the corporation, 608.
right to secure dissolution of corporation, 609.
duty of directors to account to on dissolution, 612.
not bound by contract made after repeal of charter, 612.
right to surplus after dissolution, 613.
bound by action of directors in reference to suits, 618.
when may appeal cases, 618, n.
when may sue to enforce corporate rights, 620.
laches defeating their right to an injunction, 634.
injunction at suit of, 634.
right to remove suit to federal court, 646.
citizenship immaterial in removal of causes, 649.
right to resist illegal taxes, 742.
how affected by failure of corporation to make tax return, 743.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOCKHOLDERS—Continued.
rights and liabilities of stockholders as, 869.
rights of municipal corporation as, 873.
authority of municipal corporation to become, 875.
consolidation releasing, 886.
condemnation of stock of minority stockholders, 950, n.
estoppel created by voting as, 903.
competency as an appraiser, 1017.
engineer may be, 1059.
when liable for wages of laborers, 1065.

STOCKHOLDERS' MEETINGS,
in foreign state, 24, n.
of consolidated corporation, 28.
when should be duly assembled, 164.
in what state should be held, 164.
where must be held, 164.

STOLEN BONDS,
who entitled to enforce, 484.

STOLEN PROPERTY,
by sleeping-car company's employes, 1622.

STOLEN TICKET,
title to, 1593.

STOP, LOOK AND LISTEN,
See LOOK AND LISTEN; TRAVELERS.
when traveler must, 1095, 1167.
duty of street railway employes to, 1135.

STOP-OVER PRIVILEGES,
must be expressly given, 1593.
proof of, 1593.
effect of conditions annexed to, 1595.
power of conductor to grant, 1595.
when passenger entitled to, 1595.
conferred by conductor's checks, 1602.

STOP-OVER TICKETS,
required for broken trips, 200.

STOPPAGE IN TRANSITU,
how affected by prior attachment, 1538.
general doctrine as to, 1539.
effect where vendor knows of vendee's insolvency, 1539.
effect of insolvency of vendee, 1539.
rule where rights of third persons intervene, 1539.
not defeated by seizure of goods under legal process, 1539a.
carrier yielding to demands of vendor, 1539.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STOPPAGE IN TRANSITU—Continued.
who may exercise right of, 1540.
assignee of vendor may exercise right of, 1540.
against whom right of may be exercised, 1541.
termination of right of, 1542.
mode of exercising right of, 1542.
duty of carrier to give notice of, 1542.
effect of part delivery on right of, 1543.
what is sufficient delivery to defeat right of, 1543.
right of distinguished from recaption, 1543.
none after goods have reached consignee, 1543.

STOPPING AT CROSSINGS,
duty imposed by contract, 1130.
not required where there are interlocking switches, 1131.

STOPPING TRAINS,
where animals are on track, 1204.
at county seats, 1668an.

STOPS,
enforcing agreement to make, 936.
at railway crossings, not element of damage, 1127.

STORAGE,
See DEMURRAGE.
effect of storage ordered by consignor, 1464.
carrier not required to furnish for goods to be shipped in the future, 1479.
when company entitled to compensation for, 1533.

STORAGE TRACKS,
street may be laid out across, 1104.

STORM,
See ACT OF GOD.
liability where fences destroyed by, 1209.
carrier not liable for loss by, 1455.
preventing feeding and watering live stock, 1554.
duty to provide against, 1584.
when carrier not liable for injuries caused by, 1584.

STOVES,
may be prohibited in cars, 668.

STRANGER,
no right on right of way, 1152.
at stations, 1256.
duty to at stations, 1256.
liability for assault on by employe, 1265.
liability to for willful acts of employes, 1265.
can not become servant by merely volunteering, 1305.
placing obstructions on the track, 1636.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STREAM,

See RIVERS; BRIDGES.

railroad along bed of, 41, n.
effect of diversion of, 937.
condemning land for purpose of diverting, 960.
damages for changing course of, 977.

STREET,

See LOCAL ASSESSMENTS; HIGHWAYS; RAILROADS IN STREETS.

elevated roads in, 7.
cable road not additional burden in, 9.
compelling removal of tracks from, 630.
enjoining company from occupying, 630.
enjoining construction of across depots and yards, 632.
whether use of by street railroads is franchise, 65.
right of street railroad companies to use after expiration of charter, 75.
municipal tax as compensation for use of, 767.
local assessments where track is laid in, 787.
levying local assessment on right of way for, 786.
company covenanting to pave and repair, 945.
obtaining permission to cross, 954.
condemning, 966, n.
can not be extended through depot buildings, 966, n.
abutting landowner may use, 987.
authority to use, 1076.
when landowner may eject company from, 1049.
when abutters may enjoin use of, 1049.
when abutting owner entitled to remedy by injunction, 1049, n.
damages for leaving in a negligent condition, 1057.
obtaining consent of municipality to use, 1076.
power and control of legislature over, 1076.
can not be taken for freight yard, 1076.
when trains may be made up in, 1076.
right to cross public roads includes right to cross streets, 1076, n.
city may devote use entirely to railroad company, 1077.
franchise to use distinguished from corporate franchise, 1077.
municipality consenting to use of, 1078.
abutting owners consenting to use of, 1079.
license fee for use of, 1081.
police power over, 1082.
enjoining digging into, 1082.
duty to construct tracks to conform to grade, 1082a.
rights of rival companies in, 1083.
effect of colorable possession by one rival company, 1083.
compensation for vacation of, 1086.
commercial railroad as an additional burden, 1087.
when street railways are additional burden, 1088.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STREET—Continued.
railroads in narrow ones, 1089.
held in trust for the public, 1089.
obstruction by cars, 1090.
repairing at cost of railway company, 1092.
duty of company to restore and repair, 1092.
duty to travelers upon, 1094.
remedies for unlawful use of, 1096.
mandamus to compel restoration of, 1096.
power to lay out across railways, 1098.
when street railway an additional burden on, 1096d.
legislative sanction to use of street by street railways, 1096g.
delegation of state's authority to city to allow use of streets by street railways, 1096h.
duty of street railway company to repair, 1096ai, 1096aj.
duty of street railway company as to improvements, 1096ak, 1096al, 1096am, 1096an.
street railway company may not impede travel or obstruct highway, 1096ao.
rights as between traveler and street railway company, 1096aq.
care of street railway as to persons at work on, 1096dd.
laying out across yards and switches, 1098.
parties to proceeding to open, 1100.
damages from opening across railroad, 1103.
injunction to prevent opening through railway property, 1104.
when can not be laid out through permanent structures, 1104.
impairing rights by taking company's property for, 1104.
duty to maintain lights at railroad crossings, 1114a.

STREET ASSESSMENTS,
rule as to priority of payment, 528, n.

STREET CAR,
prohibiting smoking in, 1082, n.
collisions with, 1178.
transfer tickets on, 1602.
standing on steps or platform of, 1630.
riding on platform of, 1636.

STREET DRAIN,
local assessment to pay for, 786.

STREET RAILWAYS,
See INTERURBAN RAILWAYS.
definition of, 6, 1096a.
distinguished from railroads, 6.
motive power does not determine, 6.
may consolidate, 6.
subject to penalties for charging excessive fares, 6.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STREET RAILWAYS—Continued.
laborers' liens against, 6.
exercising right of eminent domain, 6.
are quasi-public corporations, 6.
are common carriers of passengers, 6.
may build elevated track, 7, n.
electric roads classed as, 8.
cable roads classed as, 9.
rule that bills in excess of $2.00 need not be accepted or changed, 200.
power of conductor to bind company by statements as to rate of fare, 302, n.
consolidation, 322a.
whether railroad commission has power over, 683.
whether right to use street is franchise, 65.
mandamus to compel it to operate its road, 638.
municipality fixing rate of fare, 1081.
requiring it to sprinkle its tracks, 1082.
taxation of, 745a.
local assessment against, 786, n., 787a.
subject to right of eminent domain, 964.
condemnation of land for power houses, 952an, 960.
right to use tracks of other companies, 952a.
condemnation of crossing over railroad, 996a.
compensation to abutters, 996d.
connection of tracks with steam railroads, 1056b.
when there may be a lien upon, 1067.
when right in streets is perpetual, 1077.
what motive power may use, 1080.
when tracks are and are not additional burden, 1088, 1135.
duty to restore and repair streets, 1092.
must not impede or endanger travel, 1094.
charter a contract, 1096b.
incorporation and charter powers, 1096b.
not ordinarily an additional burden on the street, 1096c.
when an additional burden on street, 1096d.
as highways, 1096e.
right to take property under eminent domain, 1096f.
legislative sanction to use of streets, 1096g.
delegation to cities of right to authorize use of streets, 1096h.
consent of municipality to location, 1096i.
consent of property owners to location of street railway, 1096j.
sale of franchise by city, 1096k.
for what length of time franchises may be granted, 1096l.
extension of life of franchise, 1096m.
ordinances proposing conditions and terms to street railway a contract on acceptance, 1096n.
contracts with cities subject to police power, 1096o.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STREET RAILWAYS—Continued.
right of city to displace track while improving street, 1096o.
power of city to impose terms and conditions to use of street, 1096p.
right to change motive power, 1096q, 1096r.
whether city may grant exclusive right over streets, 1096s, 1096t, 1096u.
general grant of franchise does not exclude other companies, 1096v.
effect of taking possession of street for construction of tracks, 1096w.
when grant of franchise may be made to other companies, 1096x.
effect of commencing work on track by a company having earlier grant, 1096y.
conflicting claims to streets, 1096z.
grant of right of streets must be accepted as an entirety, 1096aa.
mandamus to compel city officers to put street railway company in possession of streets, 1096ab.
must be constructed within time specified in franchise, 1096ac.
mortgage of rights in streets, 1096ad.
transfer of rights of company, 1096ad.
subject to police power, 1096ae.
power of city to limit speed, 1096af.
municipal control of, 1096af.
power of city to limit number of passengers, 1096ag.
power of city to change street railway tracks, 1096ag.
power of city to compel street railway to remove snow, 1096ag.
power of city to compel tracks to be sprinkled, 1096ag.
power of city to regulate fares, 1096ah.
duty to repair streets, 1096ai, 1096aj.
duty to improve streets, 1096ak, 1096al, 1096am, 1096an.
limitation of rights of the company under charter, 1096ao, 1096ap.
duty as to removal of snow, 1096ap.
superiority of right in streets, 1096aq.
liability of persons for injury to tracks, 1096ar.
injury to, by moving houses across tracks, 1096ar.
liability of traveler for injuring cars, 1096as.
use of track by travelers and competitors, 1096at.
right of one company to use another's tracks, 1096au.
incorporation of interurban railways under general street railway law, 1096bh.
care generally required to avoid injury to persons using street, 1096ca, 1096cb.
liability for injuries caused by obstruction or failure to repair, 1096cc.
duty of street railway company as to equipment of cars, 1096cd
duty as to the employment of operatives, 1096cd.
duties as to speed, lookouts, signals and warnings, 1096ce.
effect of violation of ordinances, 1096cf.
care in selection of operatives as to travelers on highway, 1096cg.
running down vehicles from behind, 1096ch.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STREET RAILWAYS—Continued.
injuries caused by striking travelers or vehicles, 1096cg, 1096ch.
errors of judgment of motorman, 1096ci.
contributory negligence of traveler at crossings, 1096ci.
injuries to persons crossing tracks, 1096ci.
application of look and listen rule to, 1096cj.
collisions between street cars and railroad trains, 1096ck.
duty of motorman to look and listen at railroad crossings, 1096ck.
rule of precedence as between steam and electric cars at crossings, 1096ck.
injuries to children, 1096cl.
personal injuries from wires or electricity, 1096cm.
injuries caused by frightening horses, 1096cn.
contributory negligence of injured person, 1096co, 1096cp.
proximate cause of personal injuries, 1096cq.
application of "last clear chance" doctrine, 1096cq.
as common carriers, 1096cr.
who are passengers on, 1096cr, 1096cs.
when passenger relation terminates, 1096cs.
care as to premises, tracks and places for getting on and off, 1096ct.
degree of care as to cars and appliances, 1096cu.
care required in operation of cars, 1096cv.
liability for collisions or derailments, 1096cw.
injuries to passengers while aboard cars, 1096cx.
duty to protect passengers from personal violence, 1096cx.
injuries to passengers in getting on or off cars, 1096cy.
injuries to passengers riding on running boards, 1096cz.
injuries to passengers riding on front platform, 1096cz.
duties as to making change and giving transfers, 1096da, 1096db.
liability for willful acts of employes, 1096dc.
care as to persons at work on streets, 1096dd.
care as to deaf, blind, and aged persons on the track, 1096de.
stopping trains at crossing of, 1131.
crossing steam railways, 1135.
disinclination to allow electric and steam roads to cross at grade, 1135a.
ordering to construct overhead crossing, 1135.
injunction to prevent tearing up of track, 1135.
duty to stop, look and listen at tracks of, 1135.
suing it and railroad company together, 1178.
effect of employers' liability acts on, 1334, n.
presumption of negligence as applied to, 1402.
degree of care required of, 1402.
as common carrier, 1402.
negligence of must be proximate cause, 1402, n.
contributory negligence as applied to injuries by, 1402, n.
duty to sand tracks, 1315g.
negligence in constructing double tracks too close together, 1315g.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

STREET RAILWAYS—Continued.
negligence in allowing poles to stand too close to tracks, 1315g.
injury to employes, 1315g.
no duty to equip trailer with fender, 1315g.
contributory negligence of injured employes, 1315h.
application of fellow-servant doctrine, 1333c.
trespassers and intruders upon, 1581a.
protection of passengers from injury by strikers, 1591b.
duty of subway company to inform passengers of dangers, 1628, n.
liability for baggage of passengers, 1656a.
judicial knowledge of operation, 1689h.
pleading injuries to passengers, 1759.
pleading in actions for injuries, 1764.
presumptions and burden of proof in cases of injuries to travelers, 1778.
evidence in actions for injuries to travelers, 1790.
contributory negligence of injured traveler, 1791.

STREET RAILWAY COMPANY,
will not be enjoined from crossing steam railway, 632.
right to enjoin interference with its tracks, 632.
right to use street after termination of charter, 75.

STREET RAILWAY TRACKS,
condemning line across, 966.

STREETAGE,
effect of charging, 1518.

STRICT CONSTRUCTION,
of corporate charter, 38.
of statutes authorizing leases, 434.
of statutes forbidding lease of competing lines, 447.
statutes authorizing appointment of receivers, 538.
of laws relating to mandamus, 637.
of railway aid statutes, 831.
of statutes authorizing railway aid, 850.
of grants of corporate power, 906.
given conditions subsequent, 943.
of statutes granting power of eminent domain, 955.
of grants by city, 1080.
of statutes giving right of action for death, 1361.
of bill of lading against the carrier, 1424.
of contracts limiting liability, 1505.
when should be given to interstate commerce act, 1667.

STRIKE,
when does not amount to contempt of court, 575.
when lawful and when not, 633.
stipulating against liability from delay caused by, 1513.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

STRIKE—Continued.
deviation from route on account of, 1459.
liability for loss or delay caused by, 1459.

STRIKERS,
injunction against unlawful acts of, 575.
who bound by injunction against, 633.
when may be punished for contempt, 633.
grounds on which they may be enjoined, 633.
enjoining, 633.
rule where they are composed of employes, 1459.
diligence to supply place of, 1459.

STRUCK JURY,
competency of person to fill vacancy on, 1017.

STRUCTURES NEAR THE TRACK,
See Low Bridges.
injuring employes, 1269.
effect of employe's knowledge of, 1269.
employes assuming risk of, 1269.
permanent and temporary, 1269.

SUBAGENTS,
authority to employ, 225.

SUBCONTRACTOR,
not entitled to statutory preference, 605, n.
definition of, 1061.
distinguished from laborers, 1061.
distinguished from material men, 1061.
when entitled to lien, 1061.
performance of services outside contract, 1061.
when excused from performance, 1061.
when may recover for loss of profits, 1061.
relation to company, 1061.
relation to contractor, 1061.
liability for negligence of, 1061.
can not obtain lien as laborer, 1070.
right to lien independent of contractor, 1070.
giving notice to owners, 1070.
creditor of not entitled to lien, 1070.
when estopped from enforcing lien, 1075.

SUBORDINATE AGENTS,
authority to employ, 225.

SUBORDINATE EMPLOYES,
as applied to cases of negligence, 1316.
authority to create relation of carrier and passenger, 1580.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SUBORDINATION,
See FELLOW SERVANTS.
doctrine of as applied to fellow-servants, 1330.

SUBROGATION,
to lien on stock, 101.
when director has right of against corporation, 318.
of holder of invalid bonds, 910.
where insured property destroyed by fire, 1233, 1234.
in case of insurance on goods destroyed during transit, 1509.

SUBSCRIPTION,
taken by promoters, 10.
residence of subscribers, stating in articles of incorporation, 18.
effect of misrepresentations by promoters, on, 13a.
conditions for payment of portion reasonably construed, 18.
by person not signing articles of association, 18, n.
conditional ones, 36, n.
in bad faith cause for forfeiture, 49.
preliminary agreements to subscribe, 102.
signing charter, 36.
paying for stock in worthless property, fraud, 91.
when persons become liable as, 102.
contract of is several, not joint, 105.
when preliminary may be made, 102.
generally, 103.
form of, 103.
intention determining, 103.
when must be made in specified manner, 103.
construction of contract, 104.
contracts of are several, 105.
enforcing against trustee, 105.
effect of statutes requiring cash deposit to complete, 106.
payment of by check, 106.
payment of by promissory note, 106.
who may subscribe for stock, 107.
by trustee of undisclosed principal, 107, n.
presumption that one whose name is subscribed is a stockholder, 108.
implied promise to pay, 109.
consideration for, 109.
consideration implied by, 109.
right to modify subscription, 108.
waiving conditions to subscription, 115.
paying subscriptions as work progresses, 118.
material alterations in route, release, when, 122.
payment of, generally, 110.
trust fund doctrine, 110.
in what may be paid, 110.

Digitized by Google

SUBSCRIPTION—Continued.
conditional, 111.
consideration of circumstances surrounding conditional, 111, n.
implied conditions, 111a.
conditions to will be held to be subsequent if possible, 111.
valid and invalid conditions to, 112.
can not be varied by separate written contract, 112.
conditional mere offer until accepted, 113.
recalling before acceptance, 113.
in escrow, 114.
on separate paper, when to be annexed to books, 114.
suit to recover from real parties in interest, 114.
waiver of conditions, 115.
when conditional ones become payable, 116, 121.
performance of conditions, 116, 126.
when payable in cash, 116.
construction of conditional ones, 117.
what is a sufficient compliance with condition as to time of beginning and completing road, 117.
payable as work progresses, or upon expenditure of certain amount, 118.
absolute on completion of certain part of road, 117.
failure to perform parol condition will not defeat, 119.
conditions in notes for, 120.
conditioned upon location or construction of the road, 121.
fulfillment of condition that road should be constructed into town, 121.
effect of alteration in route fixed by charter, 122.
effect of abandonment or sale of road, 123.
condition as to terminus, 124.
what is sufficient compliance with condition as to terminus or location of depot at certain place, 125.
showing material alterations, 122.
limiting subscription to a single company, 126.
relying on fraudulent representations, 127.
must be damaged by fraudulent representations, when, 127.
general rule of construction, 126.
fraudulent representations in obtaining, 127.
courts are inclined to uphold, 127.
estoppel to deny obligation after construction of road, 127, n.
rescission on ground of misrepresentation, 127, n.
misrepresentations in prospectus and by agents generally, 128.
adopting those taken without authority, 128.
fraud may be shown by parol evidence, 129.
subscriber must be free from negligence to escape on ground of fraud, 130.
must be free from negligence to take advantage of fraud, 130.
must take advantage of fraud in reasonable time, 132.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890: *Vol. IV,* §§ 1391–1851.]

SUBSCRIPTION—Continued.
making call against is acceptance as stockholder, 140, n.
induced by fraud voidable, 131.
ratification and estoppel, 132.
rescission, 132.
waiver of fraud in securing, 132.
when payment of must be made, 133.
may be ordered paid in installments, 137.
may be required to be paid at once, 137.
payable on demand, 140.
notice to of call by publication, 142.
suit against for unpaid assessment, 149.
notice to before forfeiture of stock, 153.
assignment of right to collect, 145.
remedy where stockholder fails to pay, 149.
when payment of constitutes one a stockholder, 155.
when become stockholders, 155.
compromising with, 177.
when stockholders may sue to compel payment of, 167.
liability of stockholders for unpaid, 175.
when consolidated corporation can not enforce, 325.
consolidated company enforcing unpaid ones, 327.
defense to after consolidation, 328.
right of consolidated company to recover, 329.
to contemplated corporation valid, 409, n.
right of receiver to enforce. 569.
when unpaid subject to garnishment, 626.
when municipalities may make to railroads, 820.
to aid railroad outside the state, 826.
statutory authority to make necessary, 827.
how many may be made by municipality, 828.
when one to railway company becomes complete, 832.
mandamus to enforce one to railway company, 836.
power to aid by does not authorize execution of bonds, 839.
public aid by, 841.
to aid railroad when consumated, 861, n.
to unorganized company, 848.
validity of one to de facto corporation, 848.
validity of conditions annexed to, 851.
to railroad on conditions, 852.
when complete, 861.
effect where commissioners annex conditions to, 862.
contract created by, 863.
enforcing contract of, 863.
presumption as to acceptance of, 866.
ratification of, 867.
liability of municipal corporation for unpaid, 869.
defenses to municipal, 870.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SUBSCRIPTION—Continued.
tax-payers defending against, 870.
estoppel to defend against, 870.
taxpayers enjoining payment of, 872.
rescission of, 873.
when may act as appraisers, 1017.
right of railroad company to money or bonds on stock subscription, 893a.

SUBSEQUENT REPAIRS,
evidence of, admissible to show antecedent negligence, 117, 1349, 1697.

SUBSTITUTE,
whether injured person may recover for services of, pending recovery, 1808.

SUBSTITUTED PARTIES,
right to remove causes to federal court, 647.

SUBSTITUTION,
of one subscriber for another, 177.
of consolidated company as a party, 338.
of municipal aid bonds, 906.

SUBWAY,
action to enjoin closing of, 629.
damages for filling up, 1140.
under railroad track, 1147.
duty to warn passengers of dangers, 1628, n.

SUCCESSION,
distinguished from consolidation, 324.
definition and effect of, 324.

SUDDEN JERKS,
passenger injured by, 1629, n.

SUDDEN PERIL,
as affecting duty of traveler at crossings, 1173.

SUDDEN START,
negligence in making, 1589, n.

SUFFERANCE,
does not amount to license, 1252.

SUI JURIS,
See NON SUI JURIS.
when child becomes, 1261.

SUITS,
See REMOVAL OF CAUSES; ACTIONS BY AND AGAINST CORPORATIONS; ACTIONS AGAINST CARRIERS.
removal to federal courts, 23.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SUITS—Continued.
where to bring against railways, 24.
in federal court is not "doing business," 30.
for calls and assessments, 144.
effect of corporation refusing to bring, 165.
when stockholders may maintain on behalf of the corporation, 167.
by assignees and receivers against stockholders, 184.
effect of consolidation upon, 338.
by and against receivers, 537.
necessary to appointment of receiver, 540.
authority of foreign receivers to maintain, 555.
must generally be pending to authorize appointment of receiver, 560.
do not abate by appointment of receiver, 563.
when receivers may maintain in their own name, 568.
by receivers, 568.
when receivers may maintain, 569.
defenses to receiver's, 569.
right of receiver to maintain in other jurisdictions, 570.
obtaining leave to maintain against receivers, 571.
against receivers, 571.
maintaining in court of law against receivers, 573.
rule where they have been begun before appointment of receiver, 574.
when may be brought on receiver's certificates, 597.
dissolution does not preclude, 608.
by and against corporations after dissolution, 612.
abatement on dissolution, 612.
power of corporation to maintain, 615.
when must be authorized by directors, 615.
dismissal after removal to federal court, 655.
against railroad commissioners, 700.

SUMMONS,
See NOTICE; PROCESS.
use of "railway" and "railroad" in, 3, n.
on foreign railways, 24.
waiver of defects in, 654.

SUNDAY,
prohibiting trains running on, 1668, 1673.
power to prohibit business on Sunday, 1668.
statutes prohibiting the running of trains on, 717.

SUNDAY LAWS,
effect of violation of, 717.

SUPERINTENDENT,
See VICE PRINCIPAL.
not entitled to benefit of personal liability of stockholders, 186.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SUPERINTENDENT—Continued.
power to make rules and regulations, 199, n.
judicial knowledge as to powers of, 208, n.
authority and powers of, 297.
authority of division, to direct section foreman to help unload cars, 220.
authority to offer reward, 297.
service of process on, 621.
claim on company for wages, 1065, n.
as fellow-servant with employes, 1321.
when foreman regarded as, 1352.
within meaning of employers' liability acts, 1352.
what constitutes negligence on part of, 1353.

SUPERINTENDENT OF CONSTRUCTION,
example of authority of, 296, n.

SUPERIOR AGENTS,
See VICE PRINCIPAL.
now recognized in negligence cases, 1316.
views of the authors as to, 1317.
definition of, 1317.
illustrative cases of who are, 1318.
when inspectors are, 1327.
telegraph operators are not, 1328.
when foreman are, 1329.
when conductors regarded as, 1330.
foremen of gangs of men are not, 1333.

SUPPLIES,
when six months' rule applies to, 528.
receiver purchasing from officers of road of which he is receiver, 579.
liability of receiver for, 580.
issuing receiver's certificates to pay for, 590.

SURETY,
when waiver of lien on stock will not release, 101.
when liable on officers' bonds, 232.
on bonds of officers and agents, 233.
rights of those on appeal bonds where mortgage is foreclosed, 528.
effect of insolvency of one on construction contract, 1058.
liability on contractor's bond, 1060a.

SURFACE WATER,
what is, 632.
embankments interfering with flow of, 1057f, 1057g, 1057h.

SURGEON,
duty to furnish competent, 222.
authority to employ in emergency, 222.

Digitized by Google

SURGEON—Continued.
authority to employ other surgeon, 222.
authority of agents to employ, 222.
care to be used in selecting, 223.
effect of negligence in selecting, 1388.
when liable for negligence of one in hospital, 1389.
how paying affects question of liability, 1697.

SURGICAL ATTENDANCE,
furnishing to employes, 1388.

SURGICAL EXAMINATION,
when plaintiff must submit to, 1699.

SURPLUS,
after sale of stock on forfeiture, 150.
after forfeiture of shares, to whom it belongs, 151.

SURPLUS EARNINGS,
who entitled to stock purchased with, 307.

SURPLUS LAND,
power to mortgage, 488, n.

SURRENDER,
of certificate of stock on transfer, 97.

SURRENDER OF CHARTER,
when can take place, 608.

SURVEY,
See PRELIMINARY SURVEY.
basing public aid on preliminary, 857.
filing of proposed route, 926.

SUSPENSE,
as an element of damages, 1818.

SUSPENSION OF BUSINESS,
as cause for forfeiture, 49.
does not work dissolution, 606.

SWINDLER,
liability for delivery to, 1535.

SWINE,
duty to fence against, 1190.

SWITCH CONNECTION,
mandamus to compel restoration of, 639.

SWITCH YARDS,
duty to fence, 1194.
duty of employer to make safe, 1272.
right to construct on lands acquired for right of way, 946b.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

SWITCHES,
real estate, 31.
limited time for completing road not applicable to, 47, n.
power to sell terminal to owner of land, 385, n.
contracts in reference to location of, 363.
right of receiver to remove, 579.
law fixing kind of, 724.
power of railroad commission to compel construction of intersecting, 682a.
power of commission to compel construction of intersecting, 682, n.
right to locate and construct, 923.
map of proposed route need not show, 926.
covenant to construct, 945.
leading to private manufactories, 961.
right to construct on lands acquired for right of way, 946b.
when land can not be condemned for, 961.
condemning land for one leading to turn-table, 971.
using those of another company, 974.
right to construct in street, 1076.
power to construct road includes power to construct, 1056, n.
laying out streets across, 1098, 1104.
when not part of depot grounds, 1194, n.
company not required to block against trespassers, 1258.
duty in reference to blocking, 1272.
duty of opening and closing may be delegated, 1276.
person charged with opening not a vice-principal, 1318.
duty to properly close owing to passengers, 1589.
included in term "railroad" in interstate commerce act, 1678.
placing cars on so as to obstruct main track, 1636.
rates where shippers have, 1678.
discrimination in granting use of, 1678.

SWITCHING COMPANIES,
as common carriers, 1398.

SWITCHMEN,
fellow-servants with brakeman, 1276, n.
knowledge of defective track, effect, 1290.
as fellow-servants of trainmen, 1332.

T

TAKING OF PROPERTY,
See EMINENT DOMAIN.
compensation for, 976.
what constitutes, 976, 976, n.
illustrative cases of what constitutes, 977.
when is complete, 985.
compensation preceding, 985.

Digitized by Google

TAKING OF PROPERTY—Continued.
preliminary survey is not, 986.
market value before and after taking, 995.
when compensation and damages must precede, 1048.
when highway crossing is, 1101.
when construction of railroad crossing is, 1126.

TARIFF OF RATES,
See RATES.
how reasonableness of determined, 691.
courts can not make, 691.
tests of reasonableness, 693.
entire line considered in fixing reasonableness, 693.
joint under interstate commerce act, 1686.

TAX,
See TAXES; TAXATION.

TAX DEED,
holder of as party to condemnation proceedings, 1025.

TAX PROCEEDINGS,
due process of law in, 771.

TAX RECEIPTS,
in payment of fare and freight charges, 640, n.

TAXATION,
of railways in foreign states, 24.
on railway bonds of foreign company, 27.
on real estate or personalty, 31.
of franchise, 67.
to what extent exemption from passes to consolidated corporation, 330.
shares in consolidated company, 330, n.
effect of leases on, 456.
when exemption from passes under foreclosure sale, 525, n.
immunity from does not survive dissolution, 613.
constitution protecting railway companies against, 660.
must be for public purpose, 847.
distinguished from power of eminent domain, 950.
proving assessment for in condemnation proceedings, 1036, n.
of sleeping and parlor car companies, 1618, n.
of interstate railroads, 1664, n.

TAXATION OF RAILROAD PROPERTY,
general power to tax, 735.
legislative power, 736.
whether boards of assessment and equalization have judicial powers, 736a.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TAXATION OF RAILROAD PROPERTY—Continued.
appropriate method of assessing, 737.
methods of, 738.
statutory method of assessment exclusive, 739.
legislative discretion in, 740.
cash value of franchises, 738.
what is meant by "roadway" in revenue laws, 738a.
of gross receipts, 738, n.
of railroad bridges, 738b.
difference between commercial and street railroads warrants different mode of taxation, 740.
classification of property, 740.
equality and uniformity, 741.
duties of corporation as to return, 742.
rights of stockholders, 742.
of property in unorganized territory, 741.
double taxation, 741a.
absolute uniformity unattainable, 741.
situs of stock of non-resident corporation locally owned, 743a.
situs of rolling stock, 743b.
failure of corporation to make tax return, effect, 743.
discrimination in, 744.
lien of assessment, 745.
relinquishment of the power of taxation, 746.
on capital stock, lien on real property, 745, n.
of street and interurban railroads, 745a.
exemption from taxation on consolidation, 747.
right of exemption non-assignable, 748.
immunity from taxation not a franchise, 749.
right of purchaser on foreclosure to tax exemption, 748.
withdrawal of exemption, 750a.
exemption of property used in operating road, 750.
remedies against illegal taxes, 751.
injunction as remedy against illegal taxes, 751.
when tender of amount of taxes owing is required, 752.
right of individual taxpayer to restrain or compel action by tax officers, 751a.
authority to levy tax for depot grounds donated, 831a.

TAXATION AS AFFECTED BY FEDERAL CONSTITUTION,
taxing interstate commerce railroads, 753.
inequality of as ground for injunction, 751b.
obstruction of interstate commerce, 754.
railroad property used in interstate commerce is taxable by the states, 755.
taxation of property brought from one state into another, 756.
of property of domestic corporation permanently out of state, 755.
power of state to tax franchises granted by sister states, 757.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1391–1851.]

TAXATION AS AFFECTED BY FEDERAL CONSTITUTION—Cont'd.
railroad in more than one state, 757.
mileage basis of valuation, 758.
license tax, when valid, 759.
privilege tax on interstate railroads, 760.
franchise tax on cab service, 759.
privilege tax discriminated from a property tax, 761.
excise tax, 762.
tax on passengers carried, 763.
tax on interstate freight, 764.
on gross receipts of interstate commerce corporations, 765.
fees for the right to be a corporation not taxes, 766.
municipal tax as compensation for use of streets, 767.
impairing obligation of a contract, 768.
impairing obligation of contracts by tax on bonds, 769.
equal protection of laws not violated by change in system of taxation, 772a.
exemption of railroad property, 770.
due process of law in tax proceedings, 771.
equal protection of the laws, 772.
equal protection of the laws, corporations as persons, 773.
what is a denial of equal protection of the laws, 774.
unequal taxation, fourteenth amendment, 775.
classification not a denial of equal protection, 776.
tax for salaries of railroad commissioners, 777.
of corporations deriving rights from the United States, 778.
taxation of land grants, 779.
of domestic commerce, 780.

TAXES,
on interest coupons, 1, n.
on street railway, 6.
railway company paying as "person," 21, n.
in aid of railway construction, 33.
duty of life tenant to pay, 308.
lien of superior to mortgage lien, 500.
how failure to pay affects right to foreclose mortgage, 505.
rule as to payment after foreclosure, 528, n.
failure to pay as ground for appointment of receiver, 545.
on property in hands of receiver, 565.
liability of corporation for pending receivership, 581.
issuing receivers' certificates to pay, 590.
lien of superior to receivers' certificates, 592.
power of legislature to levy, 736.
courts have no power to levy, 736.
lien for on railroad property, 745.
effect of irregularity in levying, 751.
interstate commerce can not be restricted by, 756.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TAXES—Continued.
definition of, 767, n.
for salaries of railroad commissioners, 777.
distinguished from local assessments, 781.
theory on which they are levied, 781.
definition of, 781, n.
constitutional limitation of power of municipal corporations to levy, 816, n.
levying to meet subscription to railway, 836.
when tax for public aid is earned, 851a.
pleadings in action to enforce tax in aid of railroad, 874a.
enjoining levy of illegal, 872.
enjoining levy of excessive, 872.
can not be levied for private purpose, 877.
duty to levy a continuing one, 918.
mandamus to compel levy of, 918.
courts appointing ministerial agents to levy, 918.
levy to pay municipal bonds, 918a.
levy to pay bonds where municipality abolished, 918a.
consideration of amount on question of reasonableness of rates, 1684c.

TAXING DISTRICTS,
creating to vote for public aid, 846.
local officers can not organize, 862.
legislature may organize, 878.

TAXING POWER,
as affected by the federal constitution, 753.
power to levy local assessments rests on, 782.

TAX LISTS,
as evidence of value in condemnation proceedings, 1036b.

TAXPAYER,
right to mandamus to compel levy of tax to pay for public aid, 820, n.
voting on question of public aid, 823.
enjoining levy of tax to pay for public aid, 857.
number to sign petition for public aid, 858.
how to count in petition for public aid, 858.
dividing railway stock among, 868.
defending against subscriptions, 870.
estoppel to defend against municipal subscriptions, 870.
estoppel in reference to municipal aid, 871.
remedies against public aid, 872.
injunction as remedy for on question of public aid, 872.
laches defeating right to injunction, 872.
enjoining issue of railway aid bonds, 893.
estoppel by standing by, 903.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TECHNICAL TERMS,
parol evidence admissible to explain, 1425.

TELEGRAPH COMPANY,
validity of contract conveying to it exclusive right in right of way, 388.
power to make rules and regulations, 1576, n.

TELEGRAPH LINES,
implied authority to erect, 41.
as additional burden on right of way, 977.
condemnation of railroad right of way for construction, 975c.
damages for right of way over railroad property, 996b.

TELEGRAPH MESSAGES,
penalty for failure to deliver, 1670.

TELEGRAPH OPERATORS,
as fellow-servants of trainmen, 1328.
judicial knowledge as to employment of, 1328.
duty to use ordinary care in selecting, 1328.
negligence of in causing collision, 1635.

TELESCOPES,
as baggage, 1647, n.

TELLERS,
can not determine who has right to vote, 157.

TEMPESTS,
See STORMS.
carrier not liable for loss by, 1455.
when carrier not liable for injuries caused by, 1584.

TEMPORARY INTERRUPTION OF CORPORATE FUNCTIONS,
not ground for forfeiture, 51.

TEMPORARY STRUCTURES,
part of "ways and works," 1338.

TEMPORARY STRUCTURES NEAR TRACK,
See STRUCTURES NEAR TRACK.
injuries to employes, 1269.

TEMPORARY TRACK,
right to acquire real estate for, 394.
when not covered by general railroad mortgage, 495.
subject to lien of mortgage, 498.
when land can not be appropriated for, 972.
extra pay for building, 1060.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

TENANT,
See LIFE TENANT.
how affected by condemnation proceedings, 1025.
when entitled to private crossing, 1137.

TENANTS IN COMMON,
effect of conveyance from one, 934.
as parties to condemnation proceedings, 1025.
appeal by in appropriation cases, 1053, n.

TENDER,
of stock certificates on rescission, 132.
to prevent forfeiture of stock, 154.
in suit to restrain collection of taxes, 752.
of compensation in appropriation cases, 1048.
what a sufficient one in condemnation proceedings, 1051.
in appropriation cases, 1051.
must be made in money, 1051.
deposit as, 1051, n.
in suit to avoid release or compromises, 1377, 1697, n.
by carrier to consignee, 1530.
of reasonable compensation, 1564.
of freight charges, 1708.

TERMINAL CHARGES,
for handling live stock, 1551.
right to make, 1566.

TERMINAL FACILITIES,
allowing other companies to use, 42.
contracts in reference to, 358.
contracts with municipal corporations for, 360.
condemning land for, 952.
securing under power of eminent domain, 971.
using those of another company, 974.
bridge company furnishing, 1400, n.
duty of railroad company to establish, 1479, n.

TERMINAL RAILROAD COMPANIES,
right to exercise power of eminent domain, 954.

TERMINAL SERVICES,
See DEMURRAGE.
right to charge extra compensation for, 1551, 1566.

TERMINALS,
conditions as to location of, 125.
duty to maintain, 930, n.
power to construct road includes power to construct, 1056, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TERMINI OF ROAD,
stating in articles of incorporation, 18.
stating in charter, 36.
description of, 36.
authority to locate, 41.
changing is material amendment, 45, n.
changing under general statutory authority, 46.
change of cause for forfeiture, 49.
voting aid on conditional location of, 117, n.
effect of material alteration in on subscriptions, 122.
location of as condition to subscription, 124.
complying with condition as to location, 125.
legislature fixing, 919.
discretion as to location of, 919.
effect of authority to construct road between, 1101.
no duty to carry freight beyond, 1432.
illustrative cases of contracts to carry beyond, 1436.

TERRITORIES,
congress chartering railroads in, 15, n., 25.
when may exercise power of eminent domain, 950.
right to condemn lands through, 980.

TESTS,
See INSPECTIONS.
sufficiency of petition in condemnation proceedings, 1029a.
of reasonableness of separate rate, 1684g.

TEXAS CATTLE,
refusing to transport, 1669.

THEFT,
liability for that on sleeping car, 1622.

THEORY OF COMPLAINT,
See SECUNDUM ALLEGATA ET PROBATA.
plaintiff must recover according to, 1309, 1396, n., 1594, 1628, 1689d, 1696, 1697.
recovery must be had on, 1594.

THIEVES,
are not public enemies, 1458.
stipulating against liability from loss by, 1513.

THIRD PERSONS,
fraud of directors on, 282.
duty to fence can not be delegated to, 1186.
not bound by contract in reference to fences, 1188.
how affected by waiver of duty to fence, 1189.
how affected by right of stoppage in transitu, 1539.
taking away right of stoppage in transitu, 1540.
duty to protect passengers from injury by, 1591.
causing injuries to passengers, 1639.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

THROUGH RATE,
effect where initial carrier collects, 1435.
under interstate commerce act, 1686.

THROUGH TICKET,
stop-over privileges, 1595.
effect of, 1596.
nature of contract contained in, 1596.

TICKETS,
See FARES; PASSES.
rules and regulations regarding surrender of, 199.
right to regulate purchase of, 200.
affording reasonable opportunity to purchase, 200.
charging extra fare for passengers without, 200.
redemption of unused, 662.
sale of without authority, effect, 728.
statutes compelling redemption of unused, 709, n.
effect of counterfeiting, 734.
when mere purchase of does not create relation of carrier and passenger, 1579.
definition of, 1593.
token or receipt and not contract, 1593.
effect of conditions and limitations on face of, 1593.
not negotiable as commercial paper, 1593.
when carrier can sell at reduced rate, 1593.
not good for passage in opposite direction, 1593.
effect where secured by fraud, 1593, n.
as evidence of passenger's rights, 1594.
effect of loss of, 1594.
passenger refusing to produce may be expelled, 1594.
conclusiveness of, 1594a.
as conclusive evidence between conductor and passenger, 1594.
giving passenger reasonable time to search for lost, 1594, n.
stop-over privileges, 1595.
through tickets, 1596.
coupon, 1596.
effect of time limit in, 1596.
effect where coupons are detached, 1596.
round-trip tickets, 1597.
effect where coupons detached by accident, 1597.
when must be stamped at destination, 1597.
limited tickets, 1598.
limiting to particular train, 1598.
construing strictly against the carrier, 1598.
when journey regarded as commenced, 1598.
non-transferable tickets, 1599.
when may be forfeited, 1599, n.
commutation and mileage tickets, 1600.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–650a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1890; *Vol. IV,* §§ 1891–1851.]

TICKETS—Continued.
when passenger must sign his name to, 1600.
excursion tickets, 1601.
conductor's checks, 1602.
use of mutilated, 1601a.
rules requiring passengers to exhibit before entering trains, 1601b.
fare paid on train, 1603.
extra fare where passenger does not have, 1603.
offering opportunity to purchase, 1603.
for sleeping cars, 1620.
contradicting by parol, 1620.
rule where passenger loses, 1620.
ejection of passenger for failure to produce, 1637.
purchase of not necessary to make carrier liable for baggage, 1651.
effect of condition in, 1661,
effect of notice on back of, 1661.
as evidence that injured person was passenger, 1785.

TICKET AGENT,
arrest caused by, 1265.
authority of as to sale of tickets, 1593, n.
liability for assault of, 1638, n.
judicial knowledge of functions of, 1689h.

TICKET BROKERAGE,
See SCALPERS.
statutes to prevent, 728, 1599.

TICKET OFFICE,
requiring company to keep open, 662.
when a misdemeanor to break into, 732.
duty to keep open, 1603.

TICKET SCALPING,
See SCALPERS.
when prohibited, 728.

TIDE LANDS,
condemnation of, 965a.

TIES,
as real estate, 31.
police power of state over, 1668a.

TIMBER,
condemning land for purpose of securing, 960.
enjoining destruction of that on land grants, 810.

TIME,
of corporate existence, 36.
of street railway franchises, 1096l, 1096m.
in which to construct road not applicable to branches, 42, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TIME—Continued.
as a condition to granting of corporate charter, 47.
to bring forfeiture proceedings, 48, n.
of corporate existence, 62.
in which to begin and complete road, 117.
when subscriptions should be paid, 133.
stating in notice of stockholders' meeting, 164.
in which to unload freight, 200.
for payment of dividends, 304, n.
when dividends may be declared, 312.
for which railway company acquires real estate, 400.
duration of leases, 455.
for applying for removal of causes, 653.
when land grants become effective, 796.
as essence of a contract, 851.
at which compensation is computed, 985.
of payment of compensation, 986.
in which to abandon condemnation proceedings, 1033.
within which commissioners must report, 1043.
for making tender in appropriation cases, 1051.
in which to apply for writ of certiorari, 1054.
in which to take lien, 1071.
to bring action for injuries causing death, 1362, 1373.
for presenting claims, 1512.
effect of time limit in ticket, 1596.
limiting in railroad ticket, 1598.

TIME KEEPER,
claim on company for wages, 1065, n.

TIME OF DELIVERY,
how determined, 1520.
effect of custom and usage, 1522.
consignee waiving objections to, 1531.

TIME TABLES,
duty to prepare can not be delegated, 1281.
employes' knowledge of rules printed on back of 1281, n.
right to change, 1281.
notice of change in, 1281.
duty of company to adopt, 1281.
disobedience as contributory negligence, 1314, n.

TITLE,
See Right of Way; Real Estate.
passes under sale by trustee in mortgage, 514, n.
acquired by purchase at foreclosure sale, 525.
when purchaser at foreclosure sale takes free from liabilities and liens, 526.
when receiver's dates from, 563, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TITLE—Continued.
of receivers, 565.
time at which receiver's vests, 565.
in land grants, 795.
present one conferred by land grant, 796.
when passes to idemnity lands, 799.
conditions precedent to, 940.
conditions subsequent to, 940.
to right of way on abandonment, 946c.
acquired by railway company by dedication, 947.
to right of way by adverse possession, 948.
acquired by condemnation, 972.
passes on payment of compensation, 986.
when company can not dispute in condemnation cases, 1030.
who regarded as owner in condemnation proceedings, 1000a.
what is evidence of, 1030, n.
possession as evidence of, 1233, n.
effect of delivery to carrier on, 1414.
bills of lading as muniments of title, 1426.
presumption that it rests in consignee, 1426.
to stolen or lost ticket, 1593.

TOLL BRIDGE COMPANIES,
condemning property of, 964.

TOLLS,
See FARES; FREIGHT CHARGES.
implied authority to collect, 41.
right to take is special franchise, 67, n.
receiver to take charge of pending foreclosure, 546.
company can not be deprived of, 691.
definition of, 767, n.

TOOLS,
requiring company to carry, 724.
duty of master as to simple, 1278a.

TOP OF CAR,
negligence for passenger to ride on, 1632.

TORPEDO,
child injured by one exploding, 1260.

TORT,
See NEGLIGENCE.
unpaid subscription may be collected to pay damages for, 175.
personal liability of stockholder can not be resorted to to pay damages on, 185.
liability for agent's, 213.
individual liability of agents for, 231.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TORT—Continued.
liability of consolidated company for, 334.
holding consolidated company for, 338.
lessee liable for, 457, 474.
when lessee liable for those committed prior to lease, 459.
liability for where lease is unauthorized, 466.
liability for can not be escaped by transfer of road, 519, n.
receiver not personally liable for those of his employes, 576, n.
liability of receivers for, 577.
what ones receivers are liable for, 577.
liability for one committed after expiration of charter, 612.
corporations liable for those of employes, 617, n.
amount claimed is value in dispute, 648, n.
committed by abuse of power of eminent domain, 1031.
when lessor liable for lessees, 1237.
when company not liable for that of employe, 1265.
of companies constituting union depot company, 1453.
carrier liable for those of employes, 1589.
liability for those of agent, 1622.
liability for in loss of baggage, 1660.
statutes of limitations barring action in, 1693.
punitive or exemplary damages for, 1693.
who may be defendants to action in, 1693.
special contract as defense to, 1693.
election to sue in, 1693.

TOWN LOTS,
when not covered by general mortgage, 495.

TOWNS,
See MUNICIPAL CORPORATIONS.
regulating speed of trains, 668.
fences in, 1195.
cattle-guards in, 1198.

TOWNSHIP,
granting aid to railways, 826.
may grant public aid, 847.

TOWNSHIP AID BONDS,
See MUNICIPAL AID BONDS.
legislature validating, 843, n.

TRACKS,
See DUTY TO FENCE; RIGHT OF WAY; RAILROADS IN STREETS; STREET RAILWAYS; INTERURBAN RAILWAYS.
compelling companies to fence, 44.
taking up as cause for forfeiture, 49.
municipal corporations securing right to use for other companies, 361.
when other companies may use, 361.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRACKS—Continued.
contracts in reference to location, 363.
when contracts for location of against public policy, 386.
contract for use of not necessarily a lease, 451.
liability for negligence in constructing, 467.
negligence where there is joint use of, 477.
compelling removal from streets, 630.
right to injunction to prevent interference with, 632.
mandatory injunction to protect and compel restoration, 636.
mandamus to compel replacing of, 639, n.
lighting in cities and villages, 668.
compelling company to clear of weeds, 668.
one company using those of another company, 682.
compelling company to light, 724.
penal offense to place obstruction on, 730.
when a felony to destroy, 730, n.
local assessment where track laid in street, 787.
using those of another company, 922.
when become a part of the real estate, 949.
condemning land for those leading to stock yards, 960, n.
how may be located on right of way, 973.
using those of another company, 974, 1084.
right to cross those of another company, 975.
when become property of landowner, 998.
duty to construct, 1056.
municipality fixing location in streets, 1081.
requiring street railway to sprinkle, 1082.
temporarily removing those of street railway company, 1082.
legislature authorizing joint use of, 1084.
right to exclusive use of, 1093.
damages for injury to, 1093.
presumption that traveler will leave, 1095, 1153, 1272, n.
right of public to use interurban tracks, 1096bo.
duty to watch ahead of train, 1095.
right to lay parallel at highway crossings, 1099.
street may be laid out across collection of, 1104.
building bridge over, 1107.
crossing those of another company, 1116.
right to cross those between designated termini, 1116.
damage by constructing other line across, 1127.
compensation for restoring after railway crossing, 1127.
passways and subways under, 1147.
as warning of danger, 1153, 1157, 1163.
presumption that person will step from, 1153.
judicial knowledge that persons cross in safety, 1165.
presumption where young child on, 1172.
looking for traveler on, 1175, 1257.
duty to keep clear of obstructions, 1192, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRACKS—Continued.
where may be unfenced, 1193, 1194, 1195.
when no duty to fence between, 1193.
when both sides need not be fenced, 1194.
place of entry of animals on, 1201.
negligence in allowing animals to stray near, 1209.
no duty to patrol to watch for fires, 1232.
maintained under license, keeping free from combustibles, 1237.
duty to look out for licensees on, 1250.
company not obliged to patrol to keep off trespassers, 1250.
when person who goes upon is a trespasser, 1252.
when license implied to cross, 1252.
injury to trespassers upon, 1257.
no duty to keep lookout for trespassers upon, 1257.
negligence of child in standing on, 1261.
rate of speed injuring person beside, 1263.
duty to put in reasonably safe condition, 1268.
wrongdoer making unsafe, 1268.
structures near, injury to employes, 1269.
brakemen assuming risk from failure to ballast, 1296.
engineers assuming risks of defects in, 1297.
assumption of risk from defects in, 1301a.
charging demurrage for use of, 1567.
duty owing to passengers in respect to, 1585.
duty of carriers of passengers as to, 1586.
sleeping-car companies do not undertake to furnish, 1616.
obstructions placed dangerously near to, 1636.
negligence in placing close together, 1636.
presumption of negligence from giving way of, 1644, n.

TRACKMEN,
duty to extinguish fires, 1232.
assuming risk from wild trains, 1290.
assuming risks from running of trains, 1298.

TRACK REPAIRERS,
as fellow-servants, 1332.
contributory negligence of, 1315c.

TRACK SCALES,
power of railroad commission to compel railroad company to place, 682a.

TRACK-WALKERS,
risks assumed by, 1290.
as fellow-servants, 1332.

TRACKAGE CONTRACT,
when may be made, 359.
distinguished from lease, 451.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRACTION ENGINE,
collision between railroad train and, 1179c.

TRAFFIC ARRANGEMENTS,
power to make, 42.
implied power to make, 374.
power of interurban railways to make, 1096bu.

TRAFFIC CONTRACTS,
surrender to competing line, 359.
when will be enforced, 359.
when are valid, 365.
not valid if in effect a lease, 452.
how affected by interstate commerce act, 1681.

TRAINS,
effect of failure to run, 48, n., 49.
running to comply with conditions in subscriptions, 117, n.
rules and regulations for control of, 199.
rules requiring stops at particular stations, 200.
appointing receiver for failure to run, 539.
when number of can not be restricted, 630, n.
enjoining violation of agreement to stop, 632.
compelling them to stop by mandatory injunction, 635.
mandamus to compel running of, 638.
mandamus to compel them to stop at certain stations, 641.
statute compelling them to stop at certain places, 668.
running as "work of necessity," 717.
regulating speed in towns and cities, 668, 670, 1082.
regulating speed across highways, 668.
allowing them to stand on crossings, 719.
crime to endanger passage of, 730.
covenant to stop at certain places, 945.
covenant to run to a certain point, 946.
horses taking fright from as element of damages in condemnation proceedings, 991.
damage from vibrations caused by, 996.
rattle of as element of damages, 996, n.
negligence in running during construction of road, 1063.
when may be made up in the street, 1076.
limiting speed of, 1082.
damages for interruption at highway crossings, 1103.
priority of passage at railroad crossings, 1130, 1133.
duty to stop at railroad crossings, 1130, 1131.
need not be stopped at crossing of street railway, 1131.
penalty for failing to stop at crossing, 1131.
collision at crossings, 1132.
order in which they shall pass at crossings, 1132.
how to operate at private crossings, 1150.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRAINS—Continued.
rights at public crossings, 1153.
warning travelers of approach of, 1153.
running in violation of ordinance, 1155, n.
must be provided with sufficient men and proper appliances, 1156.
warning traveler of presence of, 1158.
duty to keep lookout on, 1159.
when no obligation to slacken at crossings, 1160.
presumption that traveler at crossing looked for, 1165.
watching for where noise is great, 1167.
attempting to cross in front of approaching, 1168.
fencing grounds where they are made up, 1194.
stopping where animals are on the track, 1204.
when company need not slacken where animals on track, 1204.
negligence in overloading, 1225.
fires springing up just after passing, 1244.
signals while making up, 1258.
child passing in front of, 1261.
duties incident to running may be delegated, 1276.
failing to supply with sufficient crew, 1287.
assumption of risks from running, 1289.
assuming risk of changing time of, 1289.
risks of jerks from, 1290.
brakemen assuming risks of sudden starts and jerks, 1296.
enginemen remaining at their post to protect trains, 1297.
trackmen assuming risks from running of, 1298.
telegraph operators employed in moving, 1328.
trainmen operating same train as fellow-servants, 1330.
employes on different ones as fellow-servants, 1331.
what necessary to constitute, 1354.
meaning within employers' liability acts, 1354.
no duty to carry passengers on all trains, 1392.
strikers preventing moving of, 1459.
duty to properly equip, 1478.
on which live stock should be shipped, 1555.
care as to make-up of stock trains, 1550a.
no duty to carry passengers on all, 1573.
presumption as to ownership of, 1573.
duty of passenger to ascertain when they stop, 1576, n.
person on by mistake, when a passenger, 1578.
effect where passenger leaves temporarily, 1578.
person on to assist passengers, 1578.
person becoming passenger before he enters, 1579.
duty to trespasser or intruder on, 1581.
duty to provide and equip with modern and improved appliances, 1588.
negligence in stopping or starting, 1589.
degree of care required in operation of, 1589.

Digitized by Google

[*References are to Sections—Vol. I*, §§ 1–656a; *Vol. II*, §§ 657–1075; *Vol. III*, §§ 1076–1390; *Vol. IV*, §§ 1391–1851.]

TRAINS—Continued.
passenger has reasonable time to leave, 1592.
effect where passenger temporarily leaves, 1592.
duty of passenger to ascertain stops, 1593.
limiting ticket to particular one, 1598.
paying fare on, 1603.
when excursion rate may be paid on, 1603.
keeping ticket office open before departure of, 1603.
what ones sleeping-car accommodations shall be furnished on, 1619.
negligence in operating, 1625.
passengers injured by boarding and alighting from, 1628.
stopping for a reasonable time for passengers to alight, 1628.
starting while passengers are alighting, 1628.
warning of stops and starts, 1628, n.
alighting from on wrong side, 1628, n.
judicial notice of jerking motion of, 1630.
baggage on one and owner on another, 1656.
power of state legislature to prohibit running of, 1668.
prohibiting running on Sunday, 1668.
what is an interstate train, 1673.

TRAIN DISPATCHER,
when and when not a fellow-servant, 1322.
relation to company, 1328.
negligence of in causing collision, 1635.

TRAINMASTER,
when brakeman fellow-servant with, 1318.
when fellow-servant and when vice-principal, 1325.

TRAINMEN,
ordinarily no authority to employ servants, 1305.
porter not fellow-servant of, 1320.
when train dispatcher fellow-servant of, 1322.
as fellow-servants of sectionmen, 1324.
operating same train as fellow-servants, 1330.
operating different trains as fellow-servants, 1331.
when fellow-servants of sectionmen, 1332.
when fellow-servants with laborers, 1332.
as fellow-servants of trainmen, 1332.
station agent as fellow-servant of, 1346.

TRAIN WRECKERS,
authority to offer reward for apprehension of, 297.

TRAMWAY,
See STREET RAILWAYS.
when railway company may operate, 961.

TRANSCRIPT,
remanding cause for failure to file, 655, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRANSFER BOOKS,
See BOOKS.
closing, effect on right to dividends, 306.

TRANSFER COMPANY,
as agent of initial carrier, 1399.
as common carrier, 1399.
as connecting carrier, 1399.

TRANSFER OF STOCK,
formalities required, 92.
when does not relieve transferer of liability, 92.
effect of unrecorded, 92, n.
formalities necessary, 97.
registry of, 98.
notice of unregistered, 98, n.
regulations regarding, 92.

TRANSFER TICKETS,
on street cars, 1602.
duty of street railway company as to issuing, 1096da, 1096db.
duty of interurban railway to accept, 1096bt.

TRANSIT PRIVILEGES,
during interstate transportation, 1686a.

TRANSITORY ACTIONS,
illustrative cases of, 623, n.
definition of, 623, n.
actions for injuries causing death, 1371.

TRANSPORTATION,
See CARRIAGE OF GOODS.
duty to furnish facilities for, 1479.
destruction of goods by fire while awaiting, 1488.
delay in caused by act of the owner, 1489.

TRAPS,
duty to notify licensee of, 1250.

TRAPS AND POCKETS,
at oblique approaches to highways, 1197.

"TRAVELED PLACES,"
meaning of term, 1151a.

TRAVELERS,
See PASSENGERS; INJURIES TO PASSENGERS: RAILROAD CROSSINGS.
duty to where railroad in the street, 1094.
injury to on railroad in street, 1095.
presumption that they will leave the track, 1095.
duty to stop, look and listen, 1095, 1167.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRAVELERS—Continued.
bound to exercise reasonable care, 1095.
restoring highway crossing for benefit of, 1107.
rights at highway crossings, 1152.
rights and duties at public crossings, 1153.
must use care at crossings, 1153.
relying on company giving signals, 1153.
relying on company using care, 1156.
duty to guard against injury, 1156.
effect of relying on invitation or direction of flagman, 1157.
duty to use their senses, 1158.
contributory negligence at crossings, 1163.
must use ordinary care at crossings, 1163.
duty where view of crossing is obstructed, 1164.
duty of at crossings, 1165.
duty to avoid trains, 1165.
effect where flagman signals, 1166.
duty to look and listen at crossings, 1166.
duty to look in both directions at crossings, 1166.
duty to look for wild and extra trains, 1166.
duty where there is smoke and like obstructions to view, 1170.
effect of misleading, 1171.
effect of invitation to cross, 1171.
giving no heed to gatemen, 1171.
right to rely on direction of employes, 1171.
rule where flagman does not see, 1171, n.
sudden peril as affecting the duty of, 1173.
negligence after discovery of danger of, 1175.
duty to try and discover on track, 1175.
injury at defective crossing, 1176.
causing injury to those on adjacent highways, 1263.

TREASURER,
a director may act as, 272, n.
definition of, 292.
duties of, 293.
care of corporate funds, 294.
action against to compel payment of dividends, 310.
validity of promissory note executed by, 345, n.

TREATIES,
removing causes which arise under, 652.

TREES,
right to cut branches off of along right of way, 1080.

TRESPASS,
right of corporation to sue for, 615.
where taking of property was wrongful, 1048.
remedy of landlord for trespass on land before condemnation, 1049.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRESPASS—Continued.
when lessee or mortgagee may maintain action of, 1049.
effect on damages in condemnation proceedings, 1049.
civil action against company for, 1055.
damages from that in construction of road, 1057.
when company liable for that of contractor, 1063.
when company and contractor jointly liable for, 1064.
remedy at law for redress of, 1125.
caused by wandering animals, 1180.
when amounts to contributory negligence, 1254.

TRESPASSER,
when person is, 215, 1248, 1252.
right of company to enjoin use of tracks by, 632.
rights as against land grant, 808.
person making preliminary survey is not, 925, n.
when company held to be, 934.
when company is not in entering on land, 998, n.
not proper party to condemnation proceedings, 1025, n.
when company becomes where proceedings are abandoned, 1033.
company is where condemnation proceedings void, 1055.
when company is ab initio, 1055, n.
person on railroad in street is not, 1094.
using private crossing, 1150.
duty owing to, 1152, 1154, 1253.
injuries to fences by, 1185.
traveler not, in passing around car obstructing crossing, 1164, n.
stock killed by engine run by, 1208.
can not recover for property destroyed by fire, 1235.
person using tracks between stations, 1250.
company need not patrol tracks to keep them off, 1250.
avoiding willful or wanton injuries to, 1250.
person who goes on track in an emergency is not, 1252.
is a wrongdoer, 1253.
liability for injuries to, 1254.
duty to after discovery of, 1254.
using reasonable care to discover, 1254.
on cars, 1255.
no contract duty owing to, 1255.
brakeman ejecting from train, 1255.
children as, 1255.
brakeman may become, 1255.
unnecessary force or violence in ejecting, 1255.
ejecting at dangerous place, 1255, n.
injury to one on railway track, 1257.
no duty to keep lookout for, 1257.
lookout for on tracks in cities, 1257.
whether signals for benefit of, 1257.
liability for willfully injuring, 1257.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRESPASSER—Continued.
company not obliged to block switches against, 1258.
liability for injury to trespassing children, 1259.
duty to children who are, 1259.
duty of trainmen on discovery of peril, 1257a.
willful injury after discovery of peril, 1257a.
presumption that trespasser on track will get off, 1257a.
illustrative cases of children who are, 1260.
liability of watchman for shooting, 1265.
care in operation of hand-cars to avoid injury, 1265a.
care to avoid injury to deaf, blind and other defective persons on tracks, 1265e.
injury to persons drunk or asleep on track, 1265f.
injuries to in making running or flying switches, 1265g.
persons injured while attempting rescues, 1265h.
care of after injury, 1265i.
when person assisting passenger is, 1578, n.
duty to one on trains, 1581, 1581a.
does not become a passenger, 1581.
when person violating rules and regulations is, 1581.
person riding on pass secured by fraud, 1604, 1609.
placing obstructions on the track, 1636.
duty to one at station, 1641.
pleading in actions for injuries to, 1763.
instructions in actions for injuries to, 1849.

TRESTLES,
obstruction of streams by, 1057d.

TRIAL BY JURY,
See INSTRUCTIONS.
when right of can not be denied, 1183.
misconduct of counsel, 1704.
necessity of exception to misconduct of counsel, 1704.

TRIAL DE NOVO,
when had in condemnation proceedings, 1053.

TRIBUNALS,
See COURTS; COMMISSIONERS; INTERSTATE COMMERCE COMMISSION.
to determine compensation in condemnation proceedings, 1011.
nature of those for assessment of benefits and damages, 1012.
legislative power as to creation of in appropriation cases, 1013.

TROLLEY CAR,
See INTERURBAN RAILWAYS; STREET RAILWAYS.
not a locomotive, 1338.

TROOPS,
duty to carry in time of war, 724.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TROVER,
See CONVERSION.
for conversion of goods by carrier, 1519, n.
when demand must precede action for, 1526.
where reasonable freight charges are tendered, 1564.

TRUST,
notice that stock is held in, 94.
conveyance taken in for company, 933.
streets held in for benefit of public, 1089.
federal power over, 1674.

TRUST COMPANY,
operating road liable for stock killed, 1, n.
right to vote stock held by it, 159.
may act as receiver, 537, n.

TRUST DEED,
See MORTGAGE; RAILROAD SECURITIES.
when bondholder chargeable with notice of conditions in, 484.
possession under, 501.
to secure mortgage bonds, 501.
providing for sale on default in payment of interest, 522.

TRUST FUND,
money paid on subscriptions is, 110.
capital stock is, 175, 600.
unpaid subscriptions, 179.
when property of consolidating corporation is, 334.
doctrine in regard to, 600, 601.
corporate property on dissolution, 613.

TRUSTEES,
promoters subject to disabilities of, 11.
purchase and sale of stock by, 94.
may invest trust funds in stocks, when, 94.
holding stock for benefit of corporation, 95.
right to vote as stockholder, 158.
directors considered as, 273.
directors are for stockholders, 274.
illustrative cases of directors as, 275.
when president is trustee for shareholders, 291.
who may be in trust deed, 501.
must sue to foreclose mortgage, 508.
effect of refusal to act, 508.
bondholders suing when trustee has left the jurisdiction, 509.
effect of provision in mortgage giving them right to take possession and sell, 514.
equity putting those under mortgage in possession, 514.
must take entire property, 514.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TRUSTEES—Continued.
duties and liabilities of, 514, n.
when liability can not be escaped by conveyance to, 519.
when may purchase at foreclosure sale, 535.
discretion as to time and manner of sale, 524.
effect of failure to take possession, 545.
duty to pursue remedy for possession, 549.
effect of failure to act on right to receiver, 549.
directors becoming for creditors and stockholders, 557.
notice to of application for appointment of receiver, 558, n.
appointing to wind up corporation on dissolution, 612.
when state is trustee for railroad company, 793.
securing compensation in condemnation proceedings, 1003.
when beneficiary bound by judgment against, 1003, n.
as parties to condemnation proceedings, 1025.
liability for injuries to animals, 1208.
property-owner as trustee for insurance company, 1234.
implied duty to carry passengers, 1393.

TRUSTS,
See COMBINATIONS; MONOPOLIES.
consolidation of street railway lines as violation of law against, 322a.

TUNNEL,
railroad crossing by, 1123.
injury by ventilation in, 1271, n.

TURNOUTS,
See SIDE TRACKS; SWITCHES.
map of proposed route need not show, 926.
land may be condemned for, 930, 960.
using those of another company, 974.
right to construct in the street, 1076.

TURNPIKE,
granting franchises to, 32, n.
condemning property of, 964.
compensation for crossing, 1101.

TURN-TABLE,
condemning land for, 971.
right to construct on land acquired for right of way, 943b.
using those of another company, 974.
children injured on, 1259.
negligence in leaving unlocked, 1259.

TWENTY YEARS' POSSESSION,
effect on title to real estate, 401.

TWENTY YEARS' USER,
securing right to private crossing, 1140, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

TWO-CENT FARES,
validity of acts prescribing, 1670c.

U

ULTIMATE FACTS,
must be pleaded, and not conclusions, 1689a.

ULTRA VIRES,
issue of watered stock is not, 88, n.
overissue of stock, an act of, 89.
acts which are can not be ratified, 270.
agreement to pay specified dividend, 310, n.
enjoining consolidation which is, 328.
burden of proof to show that contract is, 340, n.
when acts which are bind stockholders, 350.
definition of the term, 368.
acts which are may not be unlawful, 368.
effect of contracts which are, 369.
money or property obtained by acts which are, liability, 369.
what contracts are, 370.
statement of true basis of doctrine, 370, n.
estoppel by contracts which are, 371.
retaining benefit under contract which is, 371.
meaning of word "necessity," 370, n.
effect of full performance of contract, 373.
executed and executory contracts which are, 372.
when conveyance of real estate is not, 425.
when lease is, 448.
when traffic contract is, 452.
right to rentals under ultra vires lease, 463.
when may be pleaded against innocent holder, 493.
effect where receiver's acts are, 572.
no presumption that relief department is, 1379.
extra-terminal contracts, 1434.

ULTRA VIRES ACTS,
right of stockholders to restrain, 165.
unregistered assignee can not restrain, 166.
expectant owner of stock can not prevent, 166.
stockholders may enjoin, 634.

ULTRA VIRES CONTRACT,
right of stockholder to enjoin performance of, 165.
illustrative instances of, 374.
rule where statute prescribes consequences of, 375.
injunction as a remedy, 376.
laches preventing relief on, 377.
who may contest, 378.
how creditors affected by, 379.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

ULTRA VIRES CONTRACT—Continued.
non-assenting stockholders assailing, 380.
distinguished from illegal contracts, 383.

ULTRA VIRES MORTGAGE,
when may be made effective, 493.
stockholder enjoining, 493.

UNANIMOUS CONSENT,
of stockholders to amendments, 45.

UNAUTHORIZED ACTS,
ratification of president's, 289.
ratification of, 353.

UNAUTHORIZED CONTRACTS,
receiver personally liable on, 576, n.

UNAUTHORIZED ENTRY ON LAND,
effect of, 998.

UNAUTHORIZED LEASE,
cause for forfeiture, 49.
effect of, 448.
duties of lessee under, 458.
recovery of rent under, 463.
improvements by lessee operating under, 464.
liability of lessor on, 466.
liability of lessor to lessee's employes under, 472.
general liability of lessor under, 473.
enjoining execution of, 479.

UNAUTHORIZED MORTGAGE,
stockholders ratifying, 492.

UNAUTHORIZED PERSON,
effect of delivery to, 1407.

UNAVOIDABLE ACCIDENTS,
when carrier not excused by, 1481.

UNCONSTITUTIONAL STATUTE,
effect of process under, 1461, n.

UNDERGROUND CROSSING,
injunction as remedy to compel construction of, 1125.
when landowner entitled to, 1139.

UNDERGROUND ROADS,
condemning land for, 961.

UNDERGROUND WAY,
railroad crossing by, 1123.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

UNDERTAKING,
what covered by mortgage on, 496.

UNDISCLOSED PRINCIPAL,
subscription to stock by trustee of, 107, n.

UNDUE PREFERENCE,
See DISCRIMINATION.
is an actionable wrong, 1469.
what is under interstate commerce act, 1676.
circumstances and conditions affecting, 1676, 1677.
cartage constituting, 1678.
in interstate commerce transportation, 1678a.
illustrative cases of, 1678.
mixed question of law and fact, 1679.
what are not, 1677.
by giving rebates, 1680.
in long or short hauls, 1682.

UNEQUAL TAXATION,
validity of, 775.

UNFIT CONDITION,
no duty to carry goods which are in, 1466.

UNFIT PERSONS,
carrier refusing to carry, 1577.
sleeping-car companies may refuse to receive, 1617.

UNIFORMITY,
See TAXATION.
in taxing railroad property, 741.

UNION DEPOT,
making it terminus of line, 41.

UNION DEPOT COMPANIES,
agent of, authority, 1453.
as railroad carriers, 1453.
organization, powers and duties, 1453, n.

UNITED STATES,
when bound by decree foreclosing mortgage, 511.
what property of may be taken under eminent domain, 965.
proceedings in condemnation by, 980.

UNITED STATES COURTS,
See FEDERAL COURTS.

UNITED STATES MARSHAL,
can not levy on property in hands of receiver of state court, 553, n.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

UNJUST DISCRIMINATION,
See DISCRIMINATION; UNDUE PREFERENCES.
railroad commission no power to make, 679.
as applied to express companies, 1453, n.
carrier can not make, 1454.
what constitutes, 1467.
is forbidden, 1467.
who has burden of proving, 1467, n.
carrier charging different rates, 1560.

UNJUST PREFERENCES,
See UNDUE PREFERENCES.

UNJUST RATES,
what are, 1684.

UNLAWFUL ARREST,
liability of railroad company where baggage-master assisted, 1265, n.

UNLAWFUL SPEED,
See SPEED OF TRAINS.
penalty for, 723.
causing fire, 1225.

UNLAWFUL USE OF STREET,
remedies for, 1096.

UNLOADING CARS,
injury to persons engaged in, 1265c.

UNNECESSARY FORCE,
in ejecting trespasser, 1255.
must not be used in ejecting passengers, 1637.

UNNECESSARY PROPERTY,
reserved power to dispose of, 499.

UNORGANIZED COMPANY,
subscription to, 848.

UNPAID STOCK,
collecting balance on insolvency, 600.

UNPAID SUBSCRIPTIONS,
calls for made in foreign state, 24, n.
may be collected to pay damages assessed on tort, 175.
liability of stockholders for, 175.
when creditors may enforce payment of, 179.
when may and when may not be reached by garnishment, 182, n.
duty of assignee or receiver to collect, 184.
suits by receivers for, 569, n.
when subject to garnishment, 626.
liability of municipal corporation for, 869.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

UNPRECEDENTED FLOOD,
See ACT OF GOD.
carrier excused from loss by, 1660.

UNREASONABLE CHARGES,
See UNREASONABLE RATES.
carrier can not make, 693.
remedy against, 1563.

UNREASONABLE DELAY,
when carrier liable for, 1482.
what constitutes, 1483.
evidence of, 1483.
in carriage of live stock, damages for, 1555.

UNREASONABLE FARES,
contracts for are illegal, 366.

UNREASONABLE RATES,
See UNREASONABLE CHARGES; REASONABLENESS OF RATES.
injunction to prevent enforcement of, 691.
what constitutes, 692, 693.

UNREASONABLENESS,
when ordinances void for, 1082.

UNRECORDED MORTGAGE,
validity of, 494.

UNREGISTERED ASSIGNEES,
can not sue as stockholders, 166.

UNSECURED CREDITORS,
rights of after reorganization, 532, n.
when foreclosure sale fraudulent as to, 535.
appointment of receiver upon application of, 548.
how share on dissolution, 614.

UNSUITABLE CARS,
damages for furnishing, 1448, n.

UNTRIED INVENTIONS,
carrier not bound to adopt, 1588.

UNUSUAL FACILITIES,
carrier not bound to furnish, 1473.

UNUSUAL PRESS OF BUSINESS,
See RUSH OF BUSINESS; PRESS OF BUSINESS.
effect on carrier's liability, 1473.

URINALS,
See WATER CLOSETS.
ordinary care as to maintenance, 1590.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

USAGE,

See CUSTOM.

as evidence of by-law, 195.
as tending to show repeal of by-law, 196.
as an element in determining validity of corporate action, 259.
as an element in determining authority of president, 287.
as affecting powers of treasurer, 292.
as affecting duty of inspection, 1278.
as affecting obligation of transfer companies, 1399.
as affecting delivery and acceptance, 1403.
to explain bill of lading, 1423.
as affecting rights, duties and liabilities of connecting carriers, 1452.
as affecting duty to furnish refrigerator cars, 1473.
effect on manner of delivery, 1521.
effect on delivery by the carrier, 1522.
will not excuse negligence, 1522, n.
requiring notice to consignee, 1527.
as element in determining rights and duties of carriers, 1527.
as affecting question of reasonable time, 1528.
determining amount of freight charges, 1560.

USE,

rule where two uses can stand together, 1098.
license implied from, 1248.
making crossing a public crossing, 1252.

USER,

private crossing secured by adverse user, 1140.

USER OF CORPORATE POWERS,

as evidence of corporate existence, 18.
as affecting railway company, 21, n.

V

VACATION,

appointing receiver in, 538, n., 559.

VACATION OF STREET,

compensation for, 1086.

VALUE,

representations as to, when fraudulent, 127.
evidence of in condemnation proceedings, 1036.
what is test of in appropriation cases, 1036.
opinions as to in condemnation proceedings, 1038.
can not be proven by offers of compromise, 1218, n.
shipper deceiving carrier as to, 1421.
bills of lading as evidence of, 1421.
when shipper bound by stipulation as to, 1510.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

VALUE—Continued.
stipulation that value at place of shipment shall control in case of loss, 1510a.
stipulating in case of loss of freight, 1510.
as affecting freight charges, 1563.

VALUATION,
for taxation, when may be made on mileage basis, 758.

VALUATION OF PROPERTY,
to determine amount of public aid, 855.

VARIANCE,
use of word "railway" and "railroad," 3.
effect of in suits brought against consolidated company, 334.
in proof on indictment for death, 716.
effect of in cases of injuries to animals, 1215.
between pleading and evidence, 1241.
effect of, 1694.
between pleading and proof, 1689d.
in actions for loss or injury of goods, 1713.

VENDEE,
as party to condemnation proceedings, 1025.
how insolvency affects right to stoppage in transitu, 1539.

VENDEE IN POSSESSION,
notice to in condemnation cases, 1023.

VENDOR,
when may exercise right of stoppage in transitu, 1539.
effect where he knows of vendee's insolvency, 1539.
carrier yielding to demand of as to stoppage in transitu, 1539.
agent of may exercise right of stoppage in transitu, 1540.

VENDOR AND VENDEE,
right of to damages in condemnation proceedings, 1000.
compensation and damage in condemnation proceedings, 1001.
existence of railroad as notice to vendee, 1002.

VENDOR'S LIEN,
on land conveyed to railroad company, 416, n.
mortgage subject to, 497, n.
enforcing against purchasing bondholders, 526, n.
in appropriation cases, 1048.

VENUE OF ACTIONS,
against corporations, 623.
the right to sue road in one state on action accruing in another state, 623.

VERDICT,
quotient verdict invalid, 1046.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

VERDICT—Continued.
including past, present and future damages in, 1048, n.
directing in crossing cases, 1179.
directing in cases of injuries to animals, 1215.
when double damages may be included in, 1219.
directing where employe injured by a risk of the service, 1297.
directing where there was contributory negligence, 1313.
scintilla of evidence not sufficient to uphold, 1696.
contrary to physical facts, 1703.

VERIFICATION,
of articles of association, 36.
of answer in garnishment, 625, n.
of petition for public aid, 858.
of liens, 1074a.
when necessary to petition for condemnation, 1028.
of claim for injuries to animals, 1216.
of claim for injury to freight, 1512.
waiver of to claim for injury to freight, 1514, n.

VESTED RIGHTS,
how affected by repeal of by-laws, 196.
in charter or corporate property, 43.
how affected by appointment of receiver, 563.

VESTIBULED TRAINS,
leaving doors or gates open on, 1589a.

VIADUCTS,
mandamus to compel construction of, 639, 1111.
right to construct in the street, 1091.
right of municipality to contract with railroad company for maintenance, 1082.
injuring abutting owners, 1113.
electric railroad crossing steam railroad by, 1123, n.

VIBRATION,
compensation for damages by, 978, 996.
damages for injury by, 1057.

VICE-PRESIDENT,
when may be elected, 283, n.

VICE-PRINCIPAL,
when conductor is not, 1276.
liability for negligence of, 1300.
test for telling who is, 1316.
definition of, 1316, 1317.
views of the authors as to, 1317.
illustrative cases of who are, 1318.
superiority in rank does not determine relation, 1317.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

VICE-PRINCIPAL—Continued.
department theory, 1317, n.
the true test, 1318a.
employe charged with master's duty to select safe cars and appliances, 1318.
person charged with furnishing safe working place, 1318.
as to particular subjects, 1319.
superintendent as, 1321.
general manager as, 1321.
master mechanic as, 1323.
road-master as, 1324.
when train-master is, 1325.
when station-master is, 1326.
when inspector is, 1327.
when telegraph operator is, 1328.
relation as dependent on right to hire and discharge, 1329, n.

VIEW,
when court may order, 1040.
by jury of premises sought to be condemned, 1040.
duty of company where it is obstructed, 1161.
rule where it is obstructed, 1164.
smoke and other things obstructing at crossings, 1170.

VILLAGES,
See MUNICIPAL CORPORATIONS.
lighting tracks in, 668.
may grant public aid, 847.
fences in, 1195.
cattle-guards in, 1198.

VIOLATION OF RULES,
effect of, 1282.

VIOLENCE,
in ejecting trespasser, 1255.

VIS MAJOR,
See ACT OF GOD.
liability of carrier for loss caused by, 1481.
non-delivery caused by, liability, 1534.

VOID CHARTER,
effect of entry under, 998.

VOLUNTARY ASSIGNMENT,
See ASSIGNMENTS.
how affects property in foreign jurisdiction, 599.
by corporations, 602.

VOLUNTARY DISSOLUTION,
when can take place, 608.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

VOLUNTARY PAYMENT,
effect of where excessive freight charges are made, 1564.

VOLUNTARY RELIEF DEPARTMENT,
See RELIEF DEPARTMENTS AND HOSPITALS.

VOLUNTEER,
effect of performance of duty to fence by, 1187, n.
liability for injuries to, 1305.
purchasers of municipal bonds in open market are, 910.

VOTE,
right of stockholders to, 156.
how stockholder's right to be determined, 157.
number which stockholder is entitled to, 160.
right to can not be denied stockholders, when, 174.
cast for ineligible person as director, 243.
submitting question of public aid to, 822.
meaning of in railway aid election, 849.
in favor of public aid does not constitute contract, 861.
influencing at railway aid election, 860.
when upheld, 159.

VOUCHERS,
See CHECKS; TICKETS.
tickets are mere, 1593, n.

W

WAGES,
when stockholders are personally liable for, 185.
receiver reducing employes', 567.
liability of receiver for those of employes, 580.
exempt from garnishment, 625.
garnishment of employes', 627.
liability for those of laborers, 1065.
right of injured person to recover where paid during disability, 1810.

WAITING ROOMS,
legislature compelling maintenance of, 662.
company required to heat and light, 662.
power of railroad commission to compel maintenance of, 682.
indictment for failure to maintain, 720a.

WAIVER,
of defective corporate organization, 20.
of forfeiture of charter, 52.
what constitutes of forfeiture of charter, 52.
of objections to issue of preferred stock, 82.
of registration of stock, 98.
of lien on stock, 101.
of right to avoid subscription, 106.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WAIVER—Continued.
of conditions to subscription to stock, 114, 115.
when implied to conditional subscriptions, 115.
of fraud in securing subscriptions, 132.
of irregularities in calls, 134, n.
of notice of calls and assessments, 143.
of objections to notice of stockholders' meeting, 164.
of right to resort to personal liability of stockholders, 186.
of formalities necessary to action by directors, 259.
of notice of special meeting of directors, 262.
of formal execution of lease, 442.
of default in payment of interest on bonds, 505.
of right to foreclose mortgage by bringing action at law, 509, n.
of default in payment of indebtedness, effect, 545.
of rights under receiver's certificates, 597.
of right to removal of causes, 653.
of defects in summons, 654, 1047.
of defects in proceedings for removal of cause to federal court, 655a.
of right to ask that cause be remanded from federal court, 655.
of conditions to grant of public aid, 844.
of performance of conditions subsequent, 942.
of right to compensation and damages, 1008.
of constitutional rights, 1008.
of jury trial in appropriation cases, 1012.
of objections to competency of jurors, 1017.
of defective oath in condemnation cases, 1018.
of defective description in appropriation cases, 1022.
of effort to agree in condemnation cases, 1027.
of objections to competency of witnesses, 1037.
of defects in report of commissioners, 1041.
of objections to procedure in appropriation cases, 1047.
of defects in notice, 1047.
of defective petition in condemnation proceedings, 1047.
of right to payment and tender of damages, 1052.
of right to terminate construction contract, 1062.
of lien, 1075.
of right to private crossings by conveyance of right of way, 1138.
of duty to fence, 1189.
of obedience to rules, 1282.
of benefits in relief association, 1385.
of right to demand delivery at specified place, 1519, n.
of stipulation as to time and manner of presenting claims, 1514.
of delivery by carrier, 1531.
of lien for freight charges, 1543, n., 1572.
of limitation in railway ticket, 1598.

WANT OF POWER,
definition of, 884.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WAR,
duty to carry troops in time of, 724.
taking or destroying property in time of, 950.

WAREHOUSE,
right to acquire real estate for, 393.
condemning land for track to, 960.
storing goods in for connecting carrier, 1412.
effect of raising grades of switches, 1057a.
carrier not required to furnish for storage, 1479.
destruction of goods by fire while in, 1488.
as proper place of delivery, 1519.

WAREHOUSEMAN,
when carrier liable as, 1409.
where consignee refuses to accept goods, 1425, n.
liability as where connecting carrier refuses to receive freight, 1449.
no liability as such where immediate shipment asked, 1462.
when carrier liable as for loss by fire, 1462.
is not an insurer, 1463.
railroad company as, 1463, 1464.
how to determine when carrier is, 1464.
when carrier's liability as begins, 1464, 1527.
liability for baggage as after reasonable time to remove it, 1464, n.
duty of as to delivery, 1526.
carrier liable as after tender to consignee, 1530.
liability of carrier as, 1533.
carrier entitled to storage charges for services as, 1533.
attaching goods in possession of, 1538.
stoppage in transitu while goods are in hands of, 1543.
extra compensation for services as, 1567.
lien of superior to claim of pledgee, 1570.
enforcing lien of carrier for freight charges, 1571.
liability of carrier as for baggage, 1652.
duty to use reasonable care, 1652.
no presumption of negligence against, 1652, n.
liability where carrier acts as, 1711.

WAREHOUSE RECEIPT,
effect of delivery of to the company, 1404.

WARFARE,
taking and destroying property in time of, 950.

WARNING,
See SIGNALS.
duty of company to give at crossings, 1153.
when negligence to fail to give, 1154.
where train is being backed, 1162.
duty as to in operating street cars, 1096ce.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WARNING—Continued.
of change in time tables, 1281.
before starting trains, 1628, n.

WARRANTY,
indorsement of receiver's certificate does not have effect of, 594.

WASHOUT,
See ACT OF GOD.
liability for derailment caused by, 1634.

WATCHMEN,
See FLAGMEN.
at highway crossings, 1114.
compensation for keeping at railroad crossing, 1127.
street railway not obliged to maintain at railroad crossings, 1096ck.
at railway crossings, 1129.
paying expense of keeping at railway crossings, 1129.
enforcing agreement to keep, 1129.
shooting trespasser, liability for, 1265.
fellow-servant of gripman, 1333c.
injured by a risk of the service, 1290.
coupling cars, 1342.

WATER,
railroads implied authority to secure, 41.
condemning land for purpose of securing, 960.
power of lessee company to lay water mains, 461.
right to take for locomotives, 977.
damage and compensation for interfering with flow of, 996.
damages from changing flow of, 1057.
duty to give to live stock being carried, 1549, 1553.

WATER CLOSETS,
compelling company to maintain, 662.
duty to keep safe for use, 1590, 1641.
penalties for failure of railroad company to maintain, 714, 720.

WATER COURSES,
See RIVERS.
damages for negligent interference with, 1005.
injunction to protect rights in, 1049.
construction of bridges over navigable waters, 1057c.
injuries from stagnant waters, 1057i.

WATER PIPES,
injunction to prevent interference with, 632.

WATER TANKS,
part of railroad track, 5.
real estate, 31.
right to construct on land acquired for right of way, 946b.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WATER TANKS—Continued.
implied authority to maintain, 41.
implied power to condemn land for, 42.
action for damages for injury caused by, 631.
contractor not entitled to extra pay for, 1060.

WATERED STOCK,
issue of as cause for forfeiture, 49.
definition and nature of, 88
fraud in issuing, 88.
not absolutely void, 89.
liability of holders of, 90.

WAY OF NECESSITY,
when not released by conveyance of right of way, 937.

"WAYS AND WORKS,"
whether include temporary structures, 1338.

WEEDS,
compelling company to clear from tracks, 668.
duty to clear from right of way, 1226.
on right of way must be cut and destroyed, 1226.

WEIGHT,
bill of lading as evidence of, 1420.

WHARF,
right to rent, 378.

WHARFAGE,
authority of receiver to pay for, 566.

WHEEL,
presumption of negligence from breaking of, 1644, n.

WHISTLE,
See SIGNALS.
contractors not required to sound, 1, n.
requiring on locomotives, 721.
under police power state may forbid unnecessary, 668.
noise of as element of damages, 996, n.
requiring company to sound, 1114.
duty to sound at crossings, 1206.
sounding while making up trains, 1258.
frightening horse by excessive sounding, 1264.
sounding is not negligence per se, 1264.

WIDOW,
as an heir at law, 1361.
rights where husband killed by negligence, 1363.
suing for death of husband, 1368.
accepting benefits in relief associations, 1387.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WIDTH,
of right of way, how fixed, 938.
legislature fixing that of right of way, 973.
of highway crossings, 1097.

WIFE,
owning and transferring stock, 93.

WILD TRAINS,
traveler must look out for, 1166.
duty of employes to look for, 1281.
trackman assuming risks from, 1290, 1298, 1299.

WILL,
See DEVISES.
bequeathing stock by, 96.

WILLFUL ACT,
See WILLFULNESS.
liability for agent's, 213, n., 1622.
when master liable for, 214.
liability to strangers for those of employes, 1254, 1265.
master ratifying, 1265.

WILLFUL INJURIES,
See WILLFUL ACT; WILLFULNESS.
licensor must refrain from, 1250.
must not be inflicted on trespasser, 1253.
liability for those to trespasser, 1254, 1257.
duty to avoid inflicting on intruder, 1305.
inflicted by employes upon passengers, 1638.
contributory negligence no defense, 1642.

WILLFULNESS,
as ground for forfeiture of charter, 48.
must not show toward trespasser, 1152.
in injuries at crossings, 1175.
contributory negligence does not apply where there is, 1175.
in killing animals, 1194.
in injuring animals, 1201.
of owner in abandoning animals, 1210.
complaint based on, 1251.
contributory negligence not a defense to, 1251.
distinguished from negligence, 1251, n.
what will amount to, 1257.
in giving statutory signals, 1264.
in frightening horses, 1264.
liability for that in ejection of passengers, 1637, n.
pleading willful injury at railroad crossing, 1762.
instructions on willful injury of passengers, 1834.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WIND,
effect on liability for fires set, 1228.
as independent agent, 1231.

WIND STORM,
See STORMS; TEMPESTS.
liability for loss caused by, 1455.

WINDOW,
negligence for passenger to lean head out of, 1633.

WING FENCES,
damage to crops for failure to erect, 996, n.
how to locate at oblique approaches to highways, 1197.
must be along margin of highway, 1199.
definition of, 1199.
not required at private crossings, 1199, n.

WIPER OF ENGINES,
within employers' liability acts, 1344.

WIRE FENCES,
when company may erect, 1184.
animals injured by, 1207.

WIRES,
injuries to travelers from street railway wires, 1096cm.

WITHDRAWAL,
of stockholders, 176.

WITHDRAWING CASE FROM JURY,
when must be done, 1702.
how may be done, 1702.

WITNESS FEES,
authority of receiver to pay, 566.

WITNESSES,
when required to proxies, 162, n.
when stockholder is incompetent as, 173.
competency in appropriation cases, 1037.
when to make objection to competency of, 1037.
presumption as to competency of, 1037.
cross-examining in condemnation proceedings, 1037.
when may give opinions, 1038.
jury not bound by opinions of, 1038.
right of commissioners to hear, 1039, n.
opinions as to value in fire cases, 1239.

WOOD,
negligence in using in coal-burning engine, 1224, 1244.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WORDS AND PHRASES,
See DEFINITIONS.
"railway" and "railroad" interchangeable, 3.
necessary to create corporation, 16.
"to," "from" and "at" construed, 41.
"between" construed, 41.
"person," 709.
"taxpayers," 858.
"void," 895.
"voidable," 895.
"house," 924.
"public benefit," 952.
"public use," 952.
"from" and "to," "at or near," 927a.
"necessity," 974, n.
"property," 976.
"public property," 980.
civil action, 1010.
"special proceeding," 1010.
"jury," 1012.
"owners," 1025.
"taking," 1126.
"ordinary care," 1156, n.
"cattle," 1190.
"ways and works," 1338.
"superintendent," 1352.
"cars," 1354.
"use and operation of railway," 1355.
"charge and control," 1356.
"wrongful," 1361.
"heirs at law," 1361.
"next of kin," 1372.
"good order," 1420.
construction of in bills of lading, 1425.
"inevitable accident," 1481.
"inspect" and "inspection," 1528.
"commerce," 1663.
"regulation of interstate commerce," 1665.
construction of particular terms in construction contracts, 1058a.

WORK AND MATERIALS,
when stockholders liable for, 869.

WORK OF NECESSITY,
when running train is, 717.

WORKING PLACE,
duty of employer to furnish reasonably safe one, 1268.
bridges as a part of, 1271.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

WORKING PLACE—Continued.
duty to inspect, 1278.
effect of change in, 1283.
loaded cars are a part of, 1301.
person charged with is a vice-principal, 1318.

WORKMEN,
authority of receiver to pay and hire, 566.

WRIT OF ASSISTANCE,
when will lie in favor of receivers, 553.

WRIT OF ERROR,
receiver objecting to prosecution of, 27, n.
to test validity of public aid, 872.

WRIT OF MANDAMUS,
See MANDAMUS.
contempt in refusing to obey, 918.

WRITING,
when proxy should be in, 162.
agent's authority need not be conferred by, 210.
report of commissioners must be in, 1041.
when contract limiting liability must be in, 1501.
when claim for damages must be presented in, 1512.

WRITTEN CONTRACT,
See BILL OF LADING.
of subscription will not be varied by parol, 119.
oral negotiations merged in, 1423.
when can not be varied by oral evidence, 1494, 1503.

WRONG-DOER,
trespasser is, 1253.
making track unsafe, 1268.

WRONG PERSON,
effect of delivery of goods to, 1526.

WRONG SIDE,
alighting from train on, 1628, n.

X

X-RAYS,
admissibility of photographs, 1783.

Digitized by Google

[*References are to Sections—Vol. I,* §§ 1–656a; *Vol. II,* §§ 657–1075; *Vol. III,* §§ 1076–1390; *Vol. IV,* §§ 1391–1851.]

Y

YARDMASTER,
authority to employ surgeon, 222.
as fellow-servants, 1327.

YARDS,
enjoining construction of street through, 632.
land may be condemned for, 960.
laying out streets across, 1098.
railroad crossing through edge of, 1121.
injunction to prevent condemnation of, 1125.
what constitutes, 1194.
injuries to persons in company's yards, 1258.
signals while making up trains in, 1258.
license to use, 1258.
duty to cover ditches and drains in, 1272.
duty of employer to make safe, 1272.
effect of failure to light, 1289.
when necessary, 1479.
duty of railroad company to establish terminal, 1479, n.

YEAR AND A DAY,
in action for injuries causing death, 1370.

YEARS,
as affecting child's discretion, 1261.

YOUNG CHILD,
See CHILDREN.
presumption where it is on the track, 1172.

END OF VOLUME V.

WHOLE NUMBER OF PAGES 4889.

2/13/08

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google